



# भारत का राजपत्र The Gazette of India

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सं. 50] नई दिल्ली, दिसम्बर 5—दिसम्बर 11, 2010, शनिवार/अग्रहायण 14—अग्रहायण 20, 1932  
No. 50] NEW DELHI, DECEMBER 5—DECEMBER 11, 2010, SATURDAY/AGRAHAYANA 14—AGRAHAYANA 20, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक् संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 3 दिसम्बर, 2010

का.आ. 2991.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आंध्र प्रदेश राज्य सरकार, गृह (एससीए) विभाग की अधिसूचना सं. जीओएमएस सं. 109 दिनांक 7 मई, 2010 द्वारा प्राप्त सहमति से श्री वी. सूर्यनारायण, अधिशासी अभियंता, आंध्र प्रदेश मत्स्य विभाग, हैदराबाद और ईएसआईसी, नई दिल्ली के अन्य अज्ञात अधिकारियों और आंध्र प्रदेश मत्स्य विभाग के विरुद्ध पी. ई. 01/2010-सीबीआई-हैदराबाद दिनांक 16-2-2010 तक परिसिमित अपराधों का तथा उपर्युक्त उल्लिखित पी.ई. के संबंध में प्रयत्नों, दुष्प्रेरणों और षडयंत्रों अथवा उसी संव्यवहार के अनुक्रम में किया गया अन्य कोई अपराध या अपराधों या उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष

पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार सम्पूर्ण आंध्र प्रदेश राज्य के संबंध में करती है।

[सं. 228/51/2010-ए वी डी-II]

आर. के. गुप्ता, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES  
AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 3rd December, 2010

S.O. 2991.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh, Home (SC.A) Department vide Notification G.O.Ms. No. 109 dated 7th May, 2010, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of the offences confining to PE. 01/2010-CBI-Hyd.

dated 16-02-2010 against Sri V. Suryanarayana, working as Executive Engineer, Andhra Pradesh Fisheries Department, Hyderabad and others unknown officers of ESIC, New Delhi and Andhra Pradesh Fisheries Department and attempts, abetments and conspiracies in relation to the above mentioned P.E. and any other offence or offences committed during the course of same transaction or arising out of the same facts.

[No. 228/51/2010-AVD-II]

R. K. GUPTA, Under Secy.

नई दिल्ली, 6 दिसम्बर, 2010

**का.आ. 2992.**—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आंध्र प्रदेश राज्य सरकार, गृह (एस.सी.ए.) विभाग की अधिसूचना सं. जी.ओ.एम.एस. सं. 490 दिनांक 10 दिसम्बर, 2009 द्वारा प्राप्त सहमति से जेडी मेटला पुलिस स्टेशन आपराधिक विश्वास भंग तथा धोखाधड़ी के संबंध में भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 408 और 420 के अंतर्गत दर्ज अपराध सं. 748/2009 का तथा उपर्युक्त उल्लिखित अपराधों के संबंध में और उसी संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण आंध्र प्रदेश राज्य पर करती है।

[सं. 228/12/2010-ए वी डी-II]

आर. के. गुप्ता, अवर सचिव

New Delhi, the 6th December, 2010

**S.O. 2992.**—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh, Home (S.C.A) Department vide Notification G.O.Ms. No. 490 dated 10th December, 2009, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Andhra Pradesh for investigation of Crime No. 748/2009 under Sections 408 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Jeedimetla relating to criminal breach of trust, cheating and attempts, abetments and conspiracies in relation to or in connection with the above mentioned offences and any other offence/offences committed in course of the same transaction or arising out of the same facts.

[No. 228/12/2010-AVD-II]

R. K. GUPTA, Under Secy.

## आयकर अपीलीय अधिकरण

मुम्बई, 19 अक्टूबर, 2010

**का.आ. 2993.**—आदेश सं. 6(ए)-एडी(एडी)/2010 दिनांक 20 सितम्बर, 2006 के अधिक्रमण में तथा वित्त अधिनियम, 1984 (वर्ष 1984 की सं. 21) द्वारा संशोधित आयकर अधिनियम, 1961 (वर्ष 1961 की सं. 43) की धारा 252 की उप-धारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए अध्यक्ष, आयकर अपीलीय अधिकरण, एतद्वारा अधोलिखित अनुसूची के कॉलम (2) में उल्लिखित आयकर अपीलीय अधिकरण के विभिन्न क्षेत्रों के वरिष्ठ उपाध्यक्ष/उपाध्यक्षमण को, उक्त सूची के कॉलम (3) में विनिर्दिष्ट न्यायपीठों का संदर्भ में, कॉलम (4) में विनिर्दिष्ट शक्तियों एवं कार्यों का प्रत्ययोजन करते हैं :-

अनुसूची			
क्रमांक	क्षेत्र	पीठ (ठें)	प्रदत्त शक्तियों का प्रत्ययोजन
(1)	(2)	(3)	(4)
I. मुम्बई पीठें, मुम्बई	I. मुम्बई पीठें	1. मुम्बई पीठें	I. अध्यक्ष द्वारा न्यायपीठों का गठन न किए जाने की स्थिति में क्षेत्राधिकार के अंतर्गत आने वाली न्यायपीठों का गठन।
II. मुम्बई क्षेत्र	2. पुणे	3. नागपुर पीठ	II. किसी न्यायपीठ में अध्यक्ष के रूप में बैठना।
	4. पणजी पीठ	5. बिलासपुर पीठ	
III. दिल्ली क्षेत्र	6. दिल्ली पीठें	7. आगरा पीठ	III. अपने क्षेत्राधिकार के अंतर्गत आने वाली किसी न्यायपीठ से अन्य न्यायपीठ को कोई अपील या अपील के संबंध में वरिष्ठ उपाध्यक्ष
IV. कोलकाता क्षेत्र	8. कोलकाता पीठें	9. पटना पीठ	IV. अपने क्षेत्राधिकार में अपने क्षेत्राधिकार के अंतर्गत आने वाली किसी न्यायपीठ से अन्य न्यायपीठ को कोई अपील या अपील के संबंध में वरिष्ठ उपाध्यक्ष
	10. कटक पीठ	11. गुवाहाटी पीठ	
	12. रांची पीठ		
V. चैन्नई क्षेत्र	13. चैन्नई पीठें	14. अहमदाबाद पीठें	
VI. अहमदाबाद क्षेत्र	15. इंदौर पीठ	16. राजकोट पीठ	
	17. चण्डीगढ़ पीठें	18. अमृतसर पीठ	
VII. चण्डीगढ़ क्षेत्र	19. जयपुर पीठें	20. जोधपुर पीठ	
	21. बंगलौर पीठें	22. कोचीन पीठ	
VIII. बंगलौर क्षेत्र	23. हैदराबाद पीठें	24. विशाखापट्टनम पीठ	
IX. हैदराबाद क्षेत्र	25. लखनऊ पीठें	26. इलाहाबाद पीठ	
X. लखनऊ क्षेत्र			

(1)	(2)	(3)	(4)
	27. जबलपुर पीठ		का पर्यवेक्षण, नियंत्रण एवं निरीक्षण करना।

2. वरिष्ठ उपाध्यक्ष/उपाध्यक्षगण द्वारा उपर्युक्त शक्तियों एवं कार्यों का प्रयोग/निर्वहन, अध्यक्ष, आयकर अपीलीय अधिकरण के सामान्य अधीक्षण एवं नियंत्रण के अधीन किया जाएगा।

[सं. VI(ए)-एडी(एटी)/2006]

आर. वी. ईस्वर, अध्यक्ष

### INCOME TAX APPELLATE TRIBUNAL

Mumbai, the 19th October, 2010

**S.O. 2993.**—In supersession of Order No.VI(A)-Ad(A)/2006, dated the 20th September, 2006 and in exercise of the powers conferred by sub-section (5) of Section 252 of the Income Tax Act, 1961 (No. 43 of 1961) as amended by the Finance Act, 1984 (No. 21 of 1984), the President, Income Tax Appellate Tribunal, hereby delegates to the Senior Vice-President/Vice Presidents of the various Zones of the Income Tax Appellate Tribunal mentioned in Column (2) of the Schedule below, the powers and functions specified in Column (4) in respect of the Bench(es) specified in column (3) thereof, with immediate effect :

#### SCHEDULE

S No.	Zone	Benches	Powers and Functions Delegated
(1)	(2)	(3)	(4)
I	Mumbai Benches, Mumbai	1. Mumbai Benches	i. To constitute Benches within the zonal jurisdiction unless constituted by the President.
II	Mumbai Zone	2. Pune Benches 3. Nagpur Bench 4. Panaji Bench 5. Bilaspur Bench	
III	Delhi Zone	6. Delhi Benches 7. Agra Bench	
IV	Kolkata Zone	8. Kolkatta Benches	ii. To sit in any Bench as one of the Members constituting the Bench.
V	Chennai Zone	9. Patna Bench 10. Cuttack Bench 11. Guwahati Bench 12. Ranchi Bench	
VI	Ahmedabad Zone	13. Chennai Benches	iii. To transfer any appeal or application from one Bench to another Bench
		14. Ahmedabad Benches 15. Indore Bench 16. Rajkot Bench	

(1)	(2)	(3)	(4)
VII	Chandigarh Zone	17. Chandigarh Benches	within the Zonal jurisdiction.
		18. Amritsar Bench	iv. To inspect, supervise and control the functioning of the Bench(es)
VIII	Bangalore Zone	19. Jaipur Benches 20. Jodhpur Bench 21. Bangalore Benches	
		22. Cochin Bench	within the zonal jurisdiction
IX	Hyderabad Zone	23. Hyderabad Benches 24. Vishakhapatnam Bench	
X	Lucknow Zone	25. Lucknow Benches 26. Allahabad Bench 27. Jabalpur Bench	

2. The above mentioned powers and functions shall be exercised by the Senior Vice-President/Vice Presidents subject to the overall general superintendence and Control of the President, Income Tax Appellate Tribunal.

[No. VI(A)-Ad. (AT)/2006]

R. V. EASWAR, President

#### वित्त मंत्रालय

( वित्तीय सेवाएं विभाग )

नई दिल्ली, 1 दिसम्बर, 2010

**का.आ. 2994.**—बैंककारी विनियामक अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10 की उप-धारा (1) के खण्ड (ग) के उप-खण्ड (i) के उपबंध भारतीय औद्योगिक विकास बैंक लि. पर लागू नहीं होंगे, जहां तक उनका संबंध श्री आर. एम. मल्ला, अध्यक्ष एवं प्रबंध निदेशक द्वारा आई डीबीआई फोर्टिस लाइफ इंश्योरेंस कम्पनी लि. के बोर्ड में शामिल होने से है।

[फा. सं. 13/12/2010-बी.ओ.-I]

सुमिता डावरा, निदेशक

#### MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 1st December, 2010

**S.O. 2994.**—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949),

the Government of India on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-clauses (i) of clause (c) of sub-section (1) of Section 10 of the said Act shall not apply to Industrial Development Bank of India Ltd. in so far as it relates to Shri R.M. Malla, Chairman and Managing Director joining the Board of IDBI Fortis Life Insurance Company Ltd.

[F.No. 13/12/2010-BO-I]

SUMITA DAWRA, Director

(राजस्व विभाग)

(केन्द्रीय प्रत्यक्ष कर बोर्ड)

नई दिल्ली, 6 दिसम्बर, 2010

का.आ. 2995.—सर्वसाधारण की जानकारी के लिए एतद्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2010-2011 से इंडियन इन्स्टीट्यूट ऑफ टेक्नालोजी, हैदराबाद, कानडी, आन्ध्र प्रदेश को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात् :—

- (i) अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा ;
  - (ii) अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा ;
  - (iii) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता बही रखेगा जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप-धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ;
  - (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रस्तुत करेगा।
2. केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन :

- (क) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा ; अथवा
- (ख) पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा ; अथवा
- (ग) पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त धनराशि का विवरण प्रस्तुत नहीं करेगा ; अथवा
- (घ) अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा ; अथवा
- (ङ) उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 88/2010/फा. सं. 203/16/2010-(आ.क.नि.-II)]

अजय गोयल, निदेशक (आ.क.नि.-II)

(Department of Revenue)

(Central Board of Direct Taxes)

New Delhi, the 6th December, 2010

S.O. 2995.—It is hereby notified for general information that the organization Indian Institute of Technology, Hyderabad, Kandi, Andhra Pradesh has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income Tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), from Assessment Year 2010-11 onwards in the category of 'other Institution', partly engaged in research activities subject to the following conditions, namely:—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case,



by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;

- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :

- fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- ceases to carry on its research activities or its research activities are not found to be genuine; or
- ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 35 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 88/2010/F. No. 203/16/2010-ITA(II)]

AJAY GOYAL, Director (ITA-II)

नई दिल्ली, 6 दिसम्बर, 2010

का.आ. 2996.—सर्वसाधारण की जानकारी के लिए एतद्द्वारा यह अधिसूचित किया जाता है कि केन्द्र सरकार द्वारा आयकर नियमावली, 1962 (उक्त नियमावली) के नियम 5ग और 5ड के साथ पठित आयकर अधिनियम, 1961 (उक्त अधिनियम) की धारा 35 की उपधारा (1) के खंड (ii) के प्रयोजनार्थ कर निर्धारण वर्ष 2010-2011 से इंडियन अकादमी ऑफ साइन्स, बंगलौर को निम्नलिखित शर्तों के अधीन आंशिक रूप से अनुसंधान कार्यकलापों में लगे 'अन्य संस्था' की श्रेणी में अनुमोदित किया गया है, अर्थात्:—

- अनुमोदित संगठन को प्रदत्त राशि का उपयोग वैज्ञानिक अनुसंधान के लिए किया जाएगा ;
- अनुमोदित संगठन अपने संकाय सदस्यों अथवा अपने नामांकित छात्रों के माध्यम से वैज्ञानिक अनुसंधान करेगा ;
- अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए इसके द्वारा प्राप्त राशि के संबंध में अलग खाता बही रहेगा

जिसमें अनुसंधान करने के लिए प्रयुक्त राशि दर्शाई गई हो, उक्त अधिनियम की धारा 288 की उप-धारा (2) के स्पष्टीकरण में यथा परिभाषित किसी लेखाकार से ऐसी खाता-बही की लेखा परीक्षा कराएगा और उक्त अधिनियम की धारा 139 की उप धारा (1) के अंतर्गत आय विवरणी प्रस्तुत करने की नियत तिथि तक ऐसे लेखाकार द्वारा विधिवत सत्यापित एवं हस्ताक्षरित लेखा परीक्षा रिपोर्ट मामले में क्षेत्राधिकार रखने वाले आयकर आयुक्त अथवा आयकर निदेशक को प्रस्तुत करेगा ;

- (iv) अनुमोदित संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त दान तथा प्रयुक्त राशि का अलग विवरण रखेगा और उपर्युक्त लेखा परीक्षा रिपोर्ट के साथ लेखा परीक्षक द्वारा विधिवत सत्यापित ऐसे विवरण की प्रति प्रस्तुत करेगा।

2. केन्द्र सरकार यह अनुमोदन वापस ले लेगी यदि अनुमोदित संगठन :—

- पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित लेखा बही नहीं रखेगा ; अथवा
- पैराग्राफ 1 के उप-पैराग्राफ (iii) में उल्लिखित अपनी लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करेगा ; अथवा
- पैराग्राफ 1 के उप-पैराग्राफ (iv) में उल्लिखित वैज्ञानिक अनुसंधान के लिए प्राप्त दान एवं प्रयुक्त धनराशि का विवरण प्रस्तुत नहीं करेगा ; अथवा
- अपना अनुसंधान कार्य करना बंद कर देगा अथवा इसके अनुसंधान कार्य को जायज नहीं पाया जाएगा ; अथवा
- उक्त नियमावली के नियम 5ग और 5ड के साथ पठित उक्त अधिनियम की धारा 35 की उप-धारा (1) के खंड (ii) के प्रावधानों के अनुरूप नहीं होगा तथा उनका पालन नहीं करेगा ।

[अधिसूचना सं. 87/2010/फा. सं. 203/8/2010-(आ.क.नि.-II)]

अजय गोयल, निदेशक (आ.क.नि.-II)

New Delhi, the 6th December, 2010

S.O. 2996.—It is hereby notified for general information that the organization Indian Academy of Science, Bangalore has been approved by the Central Government for the purpose of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961 (said Act), read with Rules 5C and 5E of the Income-tax Rules, 1962 (said Rules), with effect from Assessment Year 2010-11 onwards in the category of other Institution', partly engaged in research activities subject to the following conditions, namely :—

- (i) The sums paid to the approved organization shall be utilized for scientific research;
- (ii) The approved organization shall carry out scientific research through its faculty members or its enrolled students;
- (iii) The approved organization shall maintain separate books of accounts in respect of the sums received by it for scientific research, reflect therein the amounts used for carrying out research, get such books audited by an accountant as defined in the explanation to sub-section (2) of Section 288 of the said Act and furnish the report of such audit duly signed and verified by such accountant to the Commissioner of Income-tax or the Director of Income-tax having jurisdiction over the case, by the due date of furnishing the return of income under sub-section (1) of Section 139 of the said Act;
- (iv) The approved organization shall maintain a separate statement of donations received and amounts applied for scientific research and a copy of such statement duly certified by the auditor shall accompany the report of audit referred to above.

2. The Central Government shall withdraw the approval if the approved organization :-

- (a) fails to maintain separate books of accounts referred to in sub-paragraph (iii) of paragraph 1; or
- (ii) fails to furnish its audit report referred to in sub-paragraph (iii) of paragraph 1; or
- (iii) fails to furnish its statement of the donations received and sums applied for scientific research referred to in sub-paragraph (iv) of paragraph 1; or
- (iv) ceases to carry on its research activities or its research activities are not found to be genuine; or ceases to conform to and comply with the provisions of clause (ii) of sub-section (1) of Section 25 of the said Act read with rules 5C and 5E of the said Rules.

[Notification No. 87/2010/F. No. 203/s/2010-(ITA-II)]

AJAY GOYAL, Director (ITA-II)

नागर विमानन मंत्रालय

(एएआई अनुभाग)

नई दिल्ली, 8 नवम्बर, 2010

का.आ. 2997.—भारतीय विमानपत्तन अधिनियम, 1994 (1944 का सं. 55) के अनुच्छेद-3 द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए केन्द्र सरकार, एतद्वारा श्री जी. के. चौकवाल, कार्यवाहक निदेशक, भा.वि.प्रा. को दिनांक 21 अक्टूबर, 2010 (पूर्वद) से 3 वर्ष की अवधि अथवा उनकी सेवानिवृत्ति की तारीख तक अथवा अगले आदेशों तक, जो भी पहले हो, 75000-3 प्रतिशत-100000 स्तर पर शट्यूल-बी के वेतनमान में सदस्य (विमान दिक्कालन सेवाएं) के रूप में नियुक्त करती है।

[सं. एवी-24011/06/2009 एएआई]

सैयद इमरान अहमद, अवर सचिव

## MINISTRY OF CIVIL AVIATION

(AAI Section)

New Delhi, the 8th November, 2010

S.O. 2997.—In exercise of the powers conferred by Section 3 of the Airports Authority of India Act, 1994 (No. 55 of 1994), the Central Government hereby appoints Shri G. K. Chaukiyal, Executive Director, AAI as Member (Operations), Airports Authority of India in Schedule 'B' scale of pay of Rs.75000-3%-100000 with effect from forenoon of 21st October, 2010 for a period of five years or till the date of his superannuation or until further orders, whichever is the earliest.

[No. AV-24011/06/2009-AAI]

SYED IMRAN AHMED, Under Secy.

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय

नई दिल्ली, 2 दिसम्बर, 2010

का.आ. 2998.—केन्द्र सरकार, संवत् 1976 (संवत् के शासन के प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में, सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के नियंत्रणाधीन निम्नलिखित कार्यालय जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है :

1. राज्य कार्यालय, खादी और ग्रामोद्योग आयोग, हैदराबाद

[सं. ई. 12016/1/2005-हिन्दी]

शेष कुमार पुलिपाका, संयुक्त सचिव

## MINISTRY OF MICRO, SMALL AND MEDIUM ENTERPRISES

New Delhi, the 2nd December, 2010

S.O. 2998.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office, under the control of the Ministry of Micro, Small & Medium Enterprises, whose more than 80% staff has acquired working knowledge in Hindi :

1. State Office, Khadi and Village Industries Commission, Hyderabad.

[No.E-12016/01/2005-Hindi]

SESH KUMAR PULIPAKA, Jt. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

(भारतीय मानक ब्यूरो)

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 2999.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अधिसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

संशोधित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3
1. आई एस 1417 : 1999- स्वर्ण एवं स्वर्ण मिश्रधातुएं, आभूषण/शिल्पकारी शुद्धता एवं मुहरांकन-विशिष्ट (तीसरा पुनरीक्षण)	संशोधन संख्या 3 जून, 2010	30 सितम्बर, 2010
2. आई एस 2113 : 2002- चाँदी एवं चाँदी की मिश्रधातुओं में चाँदी की परख-पद्धतियाँ (दूसरा पुनरीक्षण)	संशोधन संख्या 2 जून, 2010	27 अगस्त, 2010

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: एमटीडी 10/टी-1, 21]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)  
(BUREAU OF INDIAN STANDARDS)

New Delhi, the 16th November, 2010

S.O. 2999.— In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987,

the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

Sl. No.	No. and Title of the standard(s)	No. & year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1	IS 1417:1999- Gold and Gold Alloys, Jewellery, Artefacts Fineness and Marking Specification (third revision)	Amendment no. 3, June, 2010	30 Sept. 2010
2	IS 2113:2002- Assaying Silver in Silver and Silver Alloys - Methods (second revision)	Amendment no. 2, June 2010	27 Aug. 2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 10/T-1, 21]

P. GHOSH, Sc. 'F' & Head (Met Engg.)

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 3000.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि अधिसूची में दिए गए मानक(कों) में संशोधन किया गया/किए गए हैं :

संशोधन भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आईएस 6745:1972-जिक लेपित लौह एवं इस्पात वस्तुओं पर जिक परत का द्रव्यमान ज्ञात करने की पद्धतियाँ	संशोधन संख्या 5, नवम्बर, 2010	30 नवम्बर, 2010

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ: एमटीडी 24/टी-105]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 16th November, 2010

**S.O. 3000.**—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule here to annexed have been established on the date indicated against each:

Sl. No.	No. and Title of the standard(s)	No. & year of the amendment	Date from which the amendment shall have effect
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(1)	(2)	(3)	(4)
1.	IS 6745:1972—Methods for determination of mass of zinc coating on zinc coated iron and steel articles	Amendment no. 5, November 2010	30 Nov. 2010

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref: MTD 24/T-105]

P. GHOSH, Sc. 'F' & Head (Met Engrg.)

### कोयला मंत्रालय

नई दिल्ली, 8 दिसम्बर, 2010

**का.आ. 3001.**—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय द्वारा जारी अधिसूचना संख्यांक का.आ. 2637, तारीख 16 सितम्बर, 2009 जो भारत के राजपत्र में भाग II, खण्ड 3, उप-खण्ड (ii), तारीख 26 सितम्बर, 2009 में प्रकाशित की गई थी, उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 2067.15 एकड़ (लगभग) या 836.89 हेक्टेयर (लगभग) है, कोयले का पूर्वोक्त करने के अपने आशय की सूचना दी थी:

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना में संलग्न अनुसूची में विहित की गई उक्त भूमि का भाग में कोयला अभिप्राय है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इसमें संलग्न अनुसूची में वर्णित 1986.97 एकड़ (लगभग) या 804.115 हेक्टेयर (लगभग) माप की भूमि का अर्जन करने की अपने आशय की सूचना देता है।

**टिप्पण - 1 :** इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. जी एम (जेए)/अनंता ईक्वमटीएन/2010 209, तारीख 22 अक्टूबर, 2010 का निरीक्षण कलेक्टर, अंगुल (उड़ीसा) के कार्यालय में या कोयला नियंत्रक, 1, कार्डोसल हाउस स्ट्रीट, कोलकाता के कार्यालय में या महाप्रबंधक (भूमि/राजस्व और पुनर्वास), महानदी कोलफील्ड्स लिमिटेड, पी.ओ. जागृति विहार, बूला, जिला मयनपुर (उड़ीसा) के कार्यालय किया जा सकता है।

**टिप्पण - 2 :** उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है जिसमें निर्माणाखत उपबंध हैं :

**अर्जन की बाबत आपत्तियां :**

"8(1) कोई भी व्यक्ति जो किसी भूमि में, जिसकी बाबत धारा 7 के अधीन अधिसूचना जारी की गई है, हितबद्ध है, अधिसूचना जारी किए जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

## स्पष्टीकरण :—

1. इस धारा के अर्थ के अंतर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केंद्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।
2. उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने, विधि व्यवसायी द्वारा मुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझे, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि का या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केंद्रीय सरकार को उसके विनिश्चय के लिए देगा।
3. इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितवद्ध समझा जायेगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते।

टिप्पण 3 : केंद्रीय सरकार ने, कोयला नियंत्रक, 1, कार्डिनल हाऊस स्ट्रीट, कोलकाता- 700 001 का उक्त अधिनियम के अधीन अधिसूचना संख्या का.आ. 2015, तारीख 10 जुलाई, 1995 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

## अनुसूची

## महानदी कोलफील्ड्स लिमिटेड

## अनंता विस्तार परियोजना ( फेज-III )

## कोयला खनन ब्लॉक

## तालचेर, जिला अंगुल, उड़ीसा

## सभी अधिकार :

[ रेखांक संख्या जी एम ( जेए )/अनंता ईएक्सटीएन/2010/209, तारीख 22 अक्टूबर, 2010 ]

क्रम	ग्राम सं.	धाना	पी.एस. नं.	तहसील	जिला	भूमि का वर्गीकरण (एकड़ में)			कुल क्षेत्र एकड़ में	हेक्टेयर में	टिप्पणी
						सरकारी	वन	काश्तकारी गैर-वन			
1.	अल्लाहदनगर	तालचेर 82	तालचेर	अंगुल		0.00	161.00	8.52	169.53	68.608	भाग
2.	हिलोई	तालचेर 79	तालचेर	अंगुल		165.14	320.48	270.18	755.80	305.868	भाग
3.	इकडाल	तालचेर 89	तालचेर	अंगुल		122.88	120.01	256.92	499.81	202.270	पूर्ण
4.	अजातिपुर	तालचेर 84	तालचेर	अंगुल		26.19	8.62	38.35	73.16	29.607	पूर्ण
5.	बीररामचंद्रपुर	तालचेर 88	तालचेर	अंगुल		18.86	0.00	145.69	164.55	66.592	पूर्ण
6.	कुरिहान	तालचेर 80	तालचेर	अंगुल		41.73	27.50	38.48	107.71	43.590	पूर्ण
7.	कंटापाली	तालचेर 78	तालचेर	अंगुल		1.84	132.50	0.00	134.34	54.367	भाग
8.	दीनबंधुपुर	तालचेर 77	तालचेर	अंगुल		15.35	16.25	13.34	44.94	18.187	भाग
9.	रंगमाटिया	तालचेर 90	तालचेर	अंगुल		7.22	0.00	15.37	22.59	9.142	पूर्ण
10.	रघुनाथपुर	तालचेर 91	तालचेर	अंगुल		10.25	0.00	4.29	14.54	5.884	भाग
कुल क्षेत्र						409.46	786.37	791.14	1986.97	804.115	

ग्रामों में अर्जित किए जाने वाले प्लॉट संख्या :

- |                    |  |
|--------------------|--|
| (1) अल्लाहदनगर     | : 1 (भाग), 4(भाग), 5, 6, 7, 8, 9 और 18 |
| (2) हिलोई          | : 1 (भाग), 2 से 1284 तक                |
| (3) इकडाल          | : 1 से 2257 तक                         |
| (4) अजातिपुर       | : 1 से 191 तक                          |
| (5) बीररामचंद्रपुर | : 1 से 1121 तक                         |
| (6) कुरिहान        | : 1 से 93 तक                           |
| (7) कंटापाली       | : 14, 15, 16, 21, 22, 23 और 24         |
| (8) दीनबन्धुपुर    | : 13, 15, 16 से 73 तक और 76            |
| (9) रंगमाटिया      | : 1 से 151 तक                          |
| (10) रघुनाथपुर     | : 91, 92, 94 से 104 तक और 105 (भाग)    |

सीमा वर्णन :

- क-ख : रेखा बिन्दु 'क' से आरंभ होती है जो ग्राम हिलोई, कंटापाली, बारापाली और जोंरागाडिया का जंक्शन बिन्दु है। रेखा उत्तर-पश्चिम दिशा की ओर ग्राम बारापाली और कंटापाली का सम्मिलित सीमा के साथ बढ़ती है और बिन्दु "ख" पर मिलती है, जो ग्राम कंटापाली के प्लॉट संख्या 14 के दक्षिण-पश्चिम कोने पर है।
- ख-ग : रेखा प्लॉट संख्या 14, 15, 16 की पश्चिमी सीमा के साथ गुजरती हुई बिन्दु "ग" पर मिलती है जो ग्राम कंटापाली के प्लॉट संख्या 16 की उत्तर-पश्चिम कोने पर स्थित है।
- ग-घ : रेखा प्लॉट संख्या 16 और 21 की दक्षिणी सीमा के साथ गुजरती हुई बिन्दु "घ" पर मिलती है जो ग्राम कंटापाली और दीनबन्धुपुर के सम्मिलित सीमा पर स्थित है।
- घ-ङ-च : रेखा प्लॉट संख्या 16 और 15 की पश्चिमी सीमा के साथ गुजरती है इसके बाद यह प्लॉट संख्या 15 की उत्तरी सीमा और प्लॉट संख्या 13 की पश्चिमी सीमा के साथ गुजरती है और बिन्दु "ङ" पर मिलती है। उसके बाद यह प्लॉट संख्या 13 की पूर्वोत्तर सीमा से होकर गुजरती हुई ग्राम दीनबन्धुपुर और हिलोई की सम्मिलित सीमा के बिन्दु "च" पर मिलती है।
- च-छ : रेखा उत्तर की ओर ग्राम दीनबन्धुपुर और हिलोई की सम्मिलित सीमा के साथ बढ़ती है और इसके बाद ग्राम हिलोई की प्लॉट संख्या 1214 की उत्तरी सीमा से होती हुई ग्राम हिलोई की प्लॉट संख्या 1 से होकर गुजरती है और बिन्दु "छ" पर मिलती है जो ग्राम हिलोई और इकडाल की सम्मिलित सीमा पर है।
- छ-ज : रेखा उत्तर की ओर ग्राम हिलोई और इकडाल की सम्मिलित सीमा के साथ बढ़ती है, इसके बाद यह ग्राम इकडाल और सीवरामपुर आर.एफ. की सम्मिलित सीमा के साथ आगे बढ़ती है और बिन्दु "ज" पर मिलती है।
- ज-झ : रेखा ग्राम इकडाल और सीवरामपुर आर.एफ. की सम्मिलित सीमा के साथ बढ़ती है और बिन्दु "झ" पर मिलती है जो ग्राम इकडाल, हरिहरपुर और सीवरामपुर आर.एफ. का ट्राई जंक्शन बिन्दु है।
- झ-ञ : रेखा ग्राम इकडाल और रघुनाथपुर की सम्मिलित सीमा से गुजरती हुई बिन्दु "ञ" पर मिलती है जो ग्राम इकडाल और रघुनाथपुर की सम्मिलित सीमा पर है।
- ञ-ट : रेखा ग्राम इकडाल और रघुनाथपुर की सम्मिलित सीमा से गुजरती है जो ग्राम इकडाल, रंगमाटिया और रघुनाथपुर का ट्राई-जंक्शन बिन्दु है।
- ट-ठ : रेखा ग्राम रंगमाटिया और रघुनाथपुर की सम्मिलित सीमा से होकर गुजरती है और दोनों गावों की सम्मिलित सीमा के बिन्दु "ठ" पर मिलती है।

- उ-ड : रेखा ग्राम रघुनाथपुर के प्लॉट संख्या 90 की पूर्वोत्तर सीमा, प्लॉट संख्या 94,95 की उत्तरी सीमा, प्लॉट संख्या 105 की पश्चिमी-उत्तरी और पूर्वी सीमा से होकर गुजरती है और ग्राम रघुनाथपुर तथा बीररामचंद्रपुर की सम्मिलित सीमा के बिन्दु "ड" पर मिलती है।
- उ-ढ : रेखा ग्राम रघुनाथपुर और बीररामचंद्रपुर की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "ढ" पर मिलती है, जो ग्राम रघुनाथपुर, बीररामचंद्रपुर, खन्डुआलाबहल और जिलिण्डा के जंक्शन पर स्थित है।
- ङ-ण : रेखा ग्राम खण्डुआलाबहल की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "ण" पर मिलती है जो ग्राम बीररामचंद्रपुर, खन्डुआलाबहल और हेन्समूल के ट्राई-जंक्शन पर स्थित है।
- ण-त-थ : रेखा पश्चिम दिशा की ओर से ग्राम बीररामचंद्रपुर और हेन्समूल की सम्मिलित सीमा की ओर से बढ़ती है और बिन्दु "त" पर मिलती है जो ग्राम इकडाल, बीररामचंद्रपुर और हेन्समूल का ट्राई-जंक्शन बिन्दु है। इसके बाद यह ग्राम इकडाल और हेन्समूल की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "थ" पर मिलती है जो ग्राम अजातिपुर, हेन्समूल और इकडाल का ट्राई-जंक्शन बिन्दु है।
- थ-द-ध : रेखा दक्षिण की ओर ग्राम अजातिपुर और हेन्समूल के बीच एक सम्मिलित सीमा के साथ गुजरती है और बिन्दु "द" पर मिलती है जो ग्राम अजातिपुर, हेन्समूल तथा अल्लाहदनगर का ट्राई-जंक्शन बिन्दु है। इसके बाद यह ग्राम अल्लाहदनगर और हेन्समूल की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "ध" पर मिलती है जो दोनों ग्रामों की सम्मिलित सीमा पर स्थित है।
- च-न : रेखा पश्चिम की ओर ग्राम अल्लाहदनगर के प्लॉट संख्या 18 की दक्षिण-पश्चिम और उत्तरी सीमा के साथ तथा प्लॉट संख्या 10 की उत्तरी सीमा के साथ बढ़ती है और बिन्दु "न" पर मिलती है जो ग्राम अल्लाहदनगर के प्लॉट संख्या 5, 18 और 4 का मिलन बिन्दु है।
- न-प-फ-ब : रेखा प्लॉट संख्या 4 की पूर्वी सीमा के साथ बढ़ती है और प्लॉट संख्या 13 के दक्षिण पश्चिम कोने पर बिन्दु "प" पर मिलती है। इसके बाद प्लॉट संख्या 4 और 1 की दक्षिणी सीमा के साथ आगे बढ़ती है और ग्राम राकास और अल्लाहदनगर की सम्मिलित सीमा बिन्दु के बिन्दु "फ" पर मिलती है। इसके बाद यह उत्तर की ओर चलती है और बिन्दु "ब" पर मिलती है जो ग्राम अल्लाहदनगर, राकास और ब्रून्दावनपुर का ट्राई-जंक्शन बिन्दु है।
- द-भ : रेखा ग्राम अल्लाहदनगर और ब्रून्दावनपुर की सम्मिलित सीमा के ऊपर से गुजरती है और बिन्दु "भ" पर मिलती है जो ग्राम अल्लाहदनगर, राकास और ब्रून्दावनपुर का ट्राई-जंक्शन बिन्दु है।
- भ-म : रेखा ग्राम हिलोई और ब्रून्दावनपुर की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "म" पर मिलती है जो ग्राम ब्रून्दावनपुर हिलोई और राकास का ट्राई-जंक्शन बिन्दु है।
- म-य : रेखा ग्राम हिलोई और राकास की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "य" पर मिलती है जो ग्राम कुरिहान, हिलाई और राकास का ट्राई-जंक्शन बिन्दु है।
- य-क : रेखा ग्राम कुरिहान और राकास की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "क" पर मिलती है जो ग्राम कुरिहान, राकास और पदमावती का ट्राई-जंक्शन बिन्दु है।
- क ।-ख । : रेखा ग्राम पदमावती और कुरिहान की सम्मिलित सीमा के साथ गुजरती है और बिन्दु "ख ।" पर मिलती है जो ग्राम नकईपासी, कुरिहान तथा पदमावती का ट्राई-जंक्शन बिन्दु है।
- ख ।-ग । : रेखा उत्तर दिशा की ओर ग्राम जोरागाडिया या कुरिहान की सम्मिलित सीमा रेखा की ओर बढ़ती है और बिन्दु "ग ।" पर मिलती है जो ग्राम कुरिहान, जोरागाडिया और हिलोई का ट्राई-जंक्शन बिन्दु है।
- ग ।-क : रेखा उत्तर दिशा की ओर ग्राम जोरागाडिया और हिलाई की सम्मिलित सीमा के साथ बढ़ती है और बिन्दु "क" पर मिलती है।

## MINISTRY OF COAL

New Delhi, the 8th December, 2010

**S.O. 3001.**—Whereas by the Notification of the Government of India in the Ministry of Coal, S.O. number 2637 dated the 16th September 2009 issued under sub-section(1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), published in Part-II, Section 3, sub-section (ii) of the Gazette of India dated the 26th September, 2009, the Central Government gave notice of its intention to prospect for coal in 2067.15 acres (approximately) or 836.89 hectares (approximately) of lands in the locality specified in the Schedule annexed to that notification;

And, whereas, the Central Government is satisfied that coal is obtainable in a part of said lands prescribed in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the land measuring 1986.97 acres (approximately) or 804.115 hectares (approximately) in all rights as described in the Schedule appended hereto.

**Note 1** : The Plan bearing number 234(JA)/Ananta Extn./2010/209, dated the 22nd October, 2010 of the area covered by this notification may be inspected at the office of the Collector, Angul, (Orissa) or at the office of the Coal Controller, 1, Council House Street, Kolkatta, or at the office of the General Manager (Land/Revenue and Rehabilitation), Mahanadi Coalfields Limited, P.O. Jagriti Vihar, Barla, District Sambalpur (Orissa).

**Note 2** : Attention is hereby invited to the provisions of Section 8 of the said Act, which provide as follows :—

### Objections to acquisition:

"8(1) Any person interested in the land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or any rights in or over such land.

### Explanation :—

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.
- (3) For the purposes of this Section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act".

**Note 3** : The Coal Controller, 1, Council House Street, Kolkatta-700001 has been appointed by the Central Government as the competent authority under the Act, vide notification number S.O. 2015 dated the 10th July, 95.



## SCHEDULE

## MAHANADI COALFIELDS LIMITED

## Ananta Extension Project ( Phase-III)

## Coal Mining Block Talcher, District Angul, Orissa

## All RIGHTS:

(Plant number : GM(JA)/Ananta Extn./2010/209, dated the 22nd October,2010)

Sl. No.	Village	Police Station	P.S. No.	Tahasil	Distt.	Classification of land (in Ac.)			Total Area		Remarks
						Govt. non forest	Forest	Tenancy	in Ac.	in Ha.	
1.	Allhadnagar	Talcher	82	Talcher	Angul	0.00	161.00	8.52	169.53	68.608	Part
2.	Hiloi	Talcher	79	Talcher	Angul	165.14	320.48	270.18	755.80	305.868	Part
3.	Ekdal	Talcher	89	Talcher	Angul	122.88	120.01	256.92	499.81	202.270	Full
4.	Ajatipur	Talcher	84	Talcher	Angul	26.19	8.62	38.35	73.16	29.607	Full
5.	Birarama-chandrapur	Talcher	88	Talcher	Angul	18.86	0.00	145.69	164.55	66.592	Full
6.	Kurihan	Talcher	80	Talcher	Angul	41.73	27.50	38.48	107.71	43.590	Full
7.	Kantapali	Talcher	78	Talcher	Angul	1.84	132.50	0.00	134.34	54.367	Part
8.	Dinaban-dhupur	Talcher	77	Talcher	Angul	15.35	16.25	13.34	44.94	18.187	Part
9.	Rangamatia	Talcher	90	Talcher	Angul	7.22	0.00	15.37	22.59	9.142	Full
10.	Raghunathpur	Talcher	91	Talcher	Angul	10.25	0.00	4.29	14.54	5.884	Part
Total						409.46	786.37	791.14	1986.97	804.115	

## Plot numbers to be acquired in villages :—

- (1) Allahadnagar — 1 (P), 4(P), 5, 6, 7, 8, 9 and 18  
 (2) Hiloi — 1 (P), 2 to 1284  
 (3) Ekdal — 1 to 2257  
 (4) Ajatipur — 1 to 191  
 (5) Biraramachandrapur — 1 to 1121  
 (6) Kurihan — 1 to 93  
 (7) Kantapali — 14, 15, 16, 21, 22, 23 and 24  
 (8) Dinabandhupur— 13, 15, 16 to 73 and 76  
 (9) Rangamatia — 1 to 151  
 (10) Raghunathpur— 91,92,94 to 104 and 105(P)

## Boundary Description :

- A-B: Line starts from point A which is the junction point of village Hiloi, Kantapali, Barapali and Joragadia.- The line proceeds towards north-west direction along the common boundary of village Barapali & Kantapali and meet at point B which is the south-west corner point of plot no. 14 of village Kantapali. -  
 B-C: Line passes along the western boundary of plot no. 14, 15, 16 and meet at point C which is the north-west corner point of plot no. 16 of village Kantapali.  
 C-D: Line passes along the northern boundary of plot no. 16 and 21 and meet at Point D - which is the common boundary point of village Kantapali and Dinabandhupur.  
 D-E-F: Line passes along western boundary of plot no. 16 & 15. Then it passes along northern boundary of plot no. 15 and western boundary of plot no. 13 and meet at point E. Then it passes along the north and eastern boundary of plot no. 13 and meet at common boundary of village Dinabandhupur and Hiloi at point F.

- F-G: Line proceed towards north along the common boundary of village Dinabandhupur & Hiloi and then passes along the north side of plot no. 1214 of village Hiloi and further it passes through plot no. 1 & 1 of village Hiloi and meet at point G which is the common boundary of village Hiloi and Ekdal.
- G-H: Line proceed towards north along the common boundary of village Hiloi and Ekdal and then further it proceed along the common boundary of village Ekdal and Sibarampur R.F and meet at point H.
- H-I: Line proceed along the common boundary of village Ekdal and Sibarampur RF and meet at point I which is the tri-junction point of village Ekdal, Hariharpur and Sibarampur RF.
- I-J: Line passes along the common boundary of village Ekdal and Raghunathpur and meet at point J over the common boundary of village Ekdal and Raghunathpur.
- J-K: Line passes along the common boundary of village Ekdal and Raghunathpur which is the tri-junction point of village Ekdal, Rangamatia and Raghunathpur.
- K-L: Line passes along the common boundary of village Rangamatia and Raghunathpur and meet at point L on the common boundary of both the village.
- L-M: Line passes along the north and eastern boundary of plot no. 91. Northern boundary of plot no. 94, 95, west and northern & eastern boundary of plot no. 105 of village Raghunathpur and meet at point M over the common boundary line of village Raghunathpur and Biraramachandrapur.
- M-N: Line passes along the common boundary of village Raghunathpur and Biraramachandrapur and meet at point N which is the junction point of village Raghunathpur, Biraramachandrapur, Khandualbahal and Jilinda.
- N-O: Line passes along the common boundary of village Khandualbahal and meet at point O which is the tri-junction point for the village Biraramachandrapur, Khandualbahal and Hensmul.
- O-P-Q: Line proceed towards west direction over the common boundary of village Biraramachandrapur and Hensmul and meet at point P which is the tri-junction point of village Ekdal, Biraramachandrapur and Hensmul. Then it passes along the common boundary between village Ekdal and Hensmul and meet at point Q which is the tri-junction point of village Ajatipur, Hensmul and Ekdal.
- Q-R-S: Line proceed towards south along the common boundary line between Ajatipur and Hensmul village and meet at point R which is the tri-junction point of village Ajatipur, Hensmul and Allahadnagar. Then it passes along the common boundary of village Allahadnagar and Hensmul and meet at point S over the common boundary of both the villages.
- S-T: Line proceed towards west along the south, west & northern boundary of plot no. 18 and northern boundary of plot no. 10 of village Allahadnagar and meet at point T which is meeting point of plot no. 5, 18 & 4 of village Allahadnagar.
- T-U-V-W: Line passes along the eastern boundary of plot no. 4 and meet at U at the south west corner point of plot no. 13. Then line passes along the southern boundary of plot 4 & 1 and meet at point V over the common boundary point of village Rakas and Allahadnagar. Then it proceeds towards north and meet at point W which is the tri-junction point of village Allahadnagar, Rakas and Brundabanpur.
- W-X: The line proceed over the common boundary of village Allahadnagar and Brundabanpur and meet at point X which is the tri-junction point of village Allahadnagar, Brundabanpur and Ajatipur.
- X-Y: Line passes along the common boundary of village Hiloi and Brundabanpur and meet at point Y which is the tri-junction point of village Brundabanpur, Hiloi and Rakas.
- Y-Z: Line passes along the common boundary point of village Hiloi and Rakas and meet at point I which is the tri-junction point of village Kurihan, Hiloi and Rakas.
- Z-A 1: Line passes along the common boundary of village Kurihan & Rakas and meet at point A 1 which is the tri-junction point of village Kurihan, Rakas and Padmabatipur.
- A 1-B 1: Line passes along the common boundary line of village Padmabatipur and Kurihan and meet at point B 1 which is the tri-junction point of village Nakeipasi, Kurihan and Padmabatipur.
- B 1-C 1: Line proceed towards north direction over the common boundary line of village Joragadia and Kurihan and meet at point C 1 which is the tri-junction point of village Kurihan, Joragadia and Hiloi.
- C 1-A: Line further proceed in north direction along the common boundary of village Joragadia and Hiloi and meet at point A.

नई दिल्ली, 8 दिसम्बर, 2010

का.आ. 3002.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसका पश्चात् उक्त अधिनियम कहा गया है) की धारा 7 की उप-धारा (1) के अधीन जारी और भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 24 अप्रैल, 2010 में प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना संख्या का.आ. 1037 तारीख 16 अप्रैल, 2010 द्वारा उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट अवस्थापन में ऐसी भूमि में या उस पर के सभी अधिकारों के अर्जन करने के अपने आशय की सूचना दी थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 8 के अनुसरण में केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का, पूर्वोक्त रिपोर्ट पर विचार करने के पश्चात् और महाराष्ट्र सरकार से परामर्श करने के पश्चात् यह समाधान हो गया है कि 79.04 हेक्टर (लगभग) या 195.30 एकड़ (लगभग) माप वाली भूमि और उससे संलग्न अनुसूची में यथा वर्णित ऐसी भूमि में या उस पर के सभी अधिकार अर्जित किए जाने चाहिएं ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि, अनुसूची में यथा वर्णित 79.04 हेक्टर (लगभग) या 195.30 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार अर्जित किए जाते हैं।

इस अधिसूचना के अंतर्गत आने वाले क्षेत्र के रेखांक संख्या सी-1(ई)/III/जेजेएमआर/828-0510, तारीख 19 मई, 2010 का निरीक्षण कलेक्टर, चंद्रपुर (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, कार्सिल हाउस स्ट्रीट, कोलकाता -700001 के कार्यालय में या महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड (राजस्व विभाग), कोल एस्टेट, सिविल लाईन्स, नागपुर-440001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

### अनुसूची

#### ढोरवासा ओपनकास्ट एक्सपेन्शन ब्लॉक

#### माजरी क्षेत्र

#### जिला-चंद्रपुर (महाराष्ट्र)

(रेखांक सं. सी-1(ई)/III/जेजेएमआर/828-0510, तारीख 19 अप्रैल, 2010)

समस्त अधिकार :

#### ‘भाग -I’

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणी
1	2	3	4	5	6	7
1.	पिपरी	30	भद्रावती	चंद्रपुर	5.12	भाग
2.	तेलवासा	28	भद्रावती	चंद्रपुर	73.66	भाग

कुल क्षेत्र : 78.78 हेक्टर (लगभग)

समस्त अधिकार :

#### ‘भाग -II’

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणी
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1	2	3	4	5	6	7
1.	तेलवासा	28	भद्रावती	चंद्रपुर	0.26	भाग

कुल क्षेत्र : 0.26 हेक्टर (लगभग)

'भाग -I'	+	'भाग -I<II'	= कुल
78.78	+	0.26	= 79.04 हेक्टर (लगभग)
			या 195.30 एकड़ (लगभग)
			'भाग - I'

ग्राम पिपरी में अर्जित किए गए प्लॉट संख्यांक :

277/1, 277/2, 278

ग्राम तेलवासा में अर्जित किए गए प्लॉट संख्यांक :

34, 35, 36, 38/1, 38/2, 39/1, 39/2, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 82, 83, 84, 85/1, 85/2, 86/1, 86/2, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 149, 150, 151, 152, 153, 154, 155, 156, 157/1, 157/2, 158, 159/1, 159/2, सड़क (भाग)।

#### 'भाग -II'

ग्राम तेलवासा में अर्जित किए गए प्लॉट संख्यांक :

31, 32, सड़क (भाग)।

#### 'भाग -I'

#### सीमा वर्णन :

क-ख : रेखा ग्राम तेलवासा में बिन्दु 'क' से आरंभ होती है और ग्राम तेलवासा के प्लॉट संख्यांक 40, 41 की बाह्य सीमा के साथ जाती हुई सड़क पार करती है और प्लॉट संख्यांक 97, 96, 95, 94, 93, 92, 149, 150, 151, 152, 153, की बाह्य सीमा के साथ जाती हुई ग्राम तेलवासा तथा ग्राम पिपरी की सम्मिलित ग्राम सीमा को पार करती है और ग्राम पिपरी से प्लॉट संख्या 278 की बाह्य सीमा के साथ जाती है और बिन्दु 'ख' पर मिलती है।

ख-ग : रेखा ग्राम पिपरी से गुजरती हुई प्लॉट संख्यांक 278, 277/2 की बाह्य सीमा के साथ गुजरती हुई ग्राम पिपरी तथा ग्राम तेलवासा की सम्मिलित ग्राम सीमा को पार करती हुई ग्राम तेलवासा में प्लॉट संख्यांक 159/2, 159/1 की बाह्य सीमा के साथ गुजरती है और बिन्दु 'ग' पर मिलती है।

ग-घ : रेखा ग्राम तेलवासा से गुजरती हुई प्लॉट संख्यांक 159/1, 158, 83, 82, 86/1 की बाह्य सीमा के साथ गुजरती हुई सड़क पार करती हुई प्लॉट संख्यांक 50, 49, 48, 47, 34, 35, 36 की बाह्य सीमा के साथ गुजरती है और बिन्दु 'घ' पर मिलती है।

घ-क : रेखा ग्राम तेलवासा तथा ग्राम डोरवासा की सम्मिलित ग्राम सीमा से तथा ग्राम तेलवासा के प्लॉट संख्यांक 36, 38/222, 39/222, 40 की बाह्य सीमा से गुजरती है और आरंभिक बिन्दु 'क' पर मिलती है।

#### 'भाग -II'

ड-च-छ-ड रेखा ग्राम तेलवासा में बिन्दु 'ड.' से आरंभ होती है और ग्राम तेलवासा के प्लॉट संख्यांक 32, 31 की बाह्य सीमा से गुजरती हुई, बिन्दु 'च', 'छ' से गुजरती है और आरंभिक बिन्दु 'ड.' पर मिलती है।

New Delhi, the 8th December, 2010

**S.O. 3002.**— Whereas, by the notification of the Government of India in the Ministry of Coal number S. O. 1037, dated the 16th April, 2010, published in the Gazette of India, Part - II, Section - 3, Sub-section (ii) dated the 24th April, 2010 and issued under sub-section (1) of Section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) the Central Government gave notice of its intention to acquire the land and all rights in or over such lands in the locality specified in the Schedule annexed to that notification;

And whereas, the competent authority in pursuance of section 8 of the said Act, has made his report to the Central Government;

And whereas, the Central Government after considering the report of competent authority and after consulting to the Government of Maharashtra, is satisfied that the land measuring 79.04 hectares (approximately) or 195.30 acres (approximately) and all rights in or over such land as described in the Schedule appended hereto, should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the land measuring 79.04 hectares (approximately) or 195.30 acres (approximately) and all rights in or over such land as described in the Schedule are hereby acquired.

The plan bearing number C-1(E)III/JJMR/828 - 0510, dated the 19th May, 2010 of the area covered by this notification, may be inspected at the office of the Collector, Chandrapur (Maharashtra) or at the office of the Coal Controller, 1, Council House Street, Kolkata-700 001 or at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440001 (Maharashtra).

**SCHEDULE****DHORWASA OPENCAST EXTENSION BLOCK****MAJRI AREA****DISTRICT—CHANDRAPUR (MAHARASHTRA)**

[Plan bearing number: C-1(E)III/JJMR/828 - 0510, dated the 19th May, 2010]

**ALL RIGHTS:****‘PART - I’**

Sl. No.	Name of Village	Patwari Circle number	Tehsil	District	Area in hectares	Remarks
1.	Pipri	30	Bhadrawati	Chandrapur	5.12	Part
2.	Telwasa	28	Bhadrawati	Chandrapur	73.66	Part

TOTAL: 78.78 Hectares (approximately)

**ALL RIGHTS:****‘PART - II’**

Sl. No.	Name of Village	Patwari Circle number	Tehsil	District	Area in hectares	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Telwasa	28	Bhadrawati	Chandrapur	0.26	Part

TOTAL: 0.26 Hectares (approximately)

<b>‘PART - I’</b>	+	<b>‘PART - II’</b>	=	<b>TOTAL</b>
78.78	+	0.26	=	79.04 Hectares (approximately)
				OR 195.30 Acres (approximately)

**‘PART-I’****Plot numbers acquired in village Pipri :**

277/1, 277/2, 278

**Plot numbers acquired in village Telwasa :**

34, 35, 36, 38/1, 38/2, 39/1, 39/2, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 82, 83, 84, 85/1, 85/2, 86/1, 86/2, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 149, 150, 151, 152, 153, 154, 155, 156, 157/1, 157/2, 158, 159/1, 159/2 Road (Part)

**‘PART-II’****Plot numbers acquired in village Telwasa :**

31, 32 Road (Part)

**‘PART-I’****Boundary description:**

**A-B:** Line starts from Point ‘A’ and passes through village Dhorwasa along the outer boundary of plot numbers 40, 41, crosses road and passes along with the outer boundary of plot numbers 97, 96, 95, 94, 93, 92, 149, 150, 151, 152, 153, crosses common village boundary of villages Telwasa and Pipri and passes through village Pipri along with the outer boundary of plot number 278 and meets at Point ‘B’.

**B-C:** Line passes through village Pipri along with the outer boundary of plot numbers 278, 277/2, crosses common village boundary of villages Pipri and Telwasa and passes along with the outer boundary of plot numbers 159/2, 159/1 and meets at Point ‘C’.

**C-D:** Line passes through village Telwasa along with the outer boundary of plot numbers 159/1, 158, 83, 82, 86/1, crosses road then passes along with the outer boundary of plot numbers 50, 49, 48, 47, 34, 35, 36 and meets at Point ‘D’.

**D-A:** Line passes along with the common village boundary of villages Telwasa and Dhorwasa along with the outer boundary of plot numbers 36, 38/222, 39/222, 40 and meets at starting Point ‘A’.

**‘PART-II’**

**E-F-G-E:** Line starts from Point ‘E’ and passes through village Telwasa along with the outer boundary of plot numbers 32, 31 and through Point ‘F’, ‘G’ and meets at starting Point ‘E’.

[F.No. 43015/6/2009-PRIW-I]

M. SHAHABUDEEN, Under Secy.

नई दिल्ली, 8 दिसम्बर, 2010

का.आ. 3003.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 की धारा 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उप-धारा (1) के अधीन भारत सरकार ने कोयला मंत्रालय के द्वारा जारी की गई अधिसूचना संख्यांक का.आ. 2009 तारीख 15 सितम्बर, 2009 जो भारत के राजपत्र के भाग II, खण्ड 3, उप-खण्ड (ii) तारीख 26 सितम्बर, 2009 में प्रकाशित की गई थी, उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 114.65 हेक्टर (लगभग) या 283.30 एकड़ (लगभग) है;

और केन्द्रीय सरकार का यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विहित उक्त भूमि के भाग में कोयला अभिग्राह्य करना है;

अतः, अब, केन्द्रीय सरकार, कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 7 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 110.761 हेक्टर (लगभग) या 273.690 एकड़ (लगभग) माप वाली भूमि में या उस पर के सभी अधिकार के अर्जन करने की, अपने आशय की सूचना देती है।

**टिप्पण 1 :-** इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक सं. सी-1(ई)III/जेजेएनआर/824-0410, तारीख 19 अप्रैल, 2010 को कलक्टर, यवतमाल (महाराष्ट्र) के कार्यालय में या कोयला नियंत्रक, 1, कार्डिसल हाउस स्ट्रीट, कोलकाता-700 001 के कार्यालय में या महाप्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, (राजस्व विभाग) कोल इस्टेट, सिविल लाईन्स, नागपुर-440 001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

**टिप्पण 2 :-** उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध हैं :-

**अर्जन की बाबत आपत्तियां :**

“8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली की गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

**संश्लेषण :-**

1. इस धारा के अर्थान्त यह आपत्ति नहीं मानी जाएगी, कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन सक्रियाएं करना चाहता है और ऐसी सक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

2. उप-धारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है, वह या तो धारा 7 की उप-धारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

3. इस धारा के प्रयोजनों के लिए, वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता, यदि भूमि या ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते।”

**टिप्पण 3 :** केन्द्रीय सरकार ने, कोयला नियंत्रक, 1, कार्डिसल हाउस स्ट्रीट, कोलकाता- 700 001 को उक्त अधिनियम की धारा 3 के अधीन अधिसूचना संख्या का.आ. 2519, तारीख 27 मई, 1983 जो भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii), तारीख 11 जून, 1983 में प्रकाशित की गई थी द्वारा सक्षम प्राधिकारी नियुक्त किया है।

### अनुसूची

घोन्सा सेंट्रल और नार्थ क्वारी ब्लॉक

वणी नार्थ क्षेत्र

जिला-यवतमाल ( महाराष्ट्र )

[ रेखांक सं. सी-1(ई)III/जेजेएनआर/824-0410, तारीख 19 अप्रैल, 2010 ]

सभी अधिकार :

### भाग - क

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
1.	कुंभारखनी	42	वणी	यवतमाल	8.30	भाग

कुल : 8.30 हेक्टर ( लगभग )  
या 20,509 एकड़ ( लगभग )

## भाग - ख

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
1.	फुलोर	230	वणी	यवतमाल	25.35	भाग
2.	घोन्सा	98	वणी	यवतमाल	3.48	भाग
			कुल :	28.83 हेक्टर ( लगभग ) या 71.239 एकड़ ( लगभग )		

## भाग - ग

क्रम सं.	ग्राम का नाम	पटवारी सर्किल संख्या	तहसील	जिला	क्षेत्रफल हेक्टर में	टिप्पणियां
1.	घोन्सा	98	वणी	यवतमाल	62.801	भाग
2.	फुलोर	230	वणी	यवतमाल	10.83	भाग
			कुल :	73.631 हेक्टर ( लगभग ) या 181.942 एकड़ ( लगभग )		

सभी अधिकार :

भाग - क	+	भाग -ख	+	भाग -ग	= कुलक्षेत्र
8.300	+	28.830	+	73.631	= 110.761 हेक्टर (लगभग)
या					
20.509	+	71.239	+	181.942	= 273.690 एकड़ (लगभग)

ग्राम में अर्जित किए जाने वाले प्लॉट

## भाग-क

ग्राम कुंभारखानी में अर्जित किए जाने वाले प्लॉट संख्यांक :

2 (भाग) सरकारी ।

## भाग - ख

ग्राम फुलोर में अर्जित किए जाने वाले प्लॉट संख्यांक :

2 (भाग), वन भूमि, सरकारी (नहर)।

ग्राम घोसा में अर्जित किए जाने वाले प्लॉट संख्यांक :

65/1, 65/2 ।

ग्राम फुलोर में अर्जित किए जाने वाले प्लॉट संख्यांक :

26/1, 26/1-क, 26/1-ख, 26/2, 26/2-क, 26/3, 26/4 ।

ग्राम घोन्सा में अर्जित किए जाने वाले प्लॉट संख्यांक :

12/1, 37/1, 38/1, 38/2, 39, 40/1 से 40/77, 41/1, 41/1-क, 41/2, 41/2-क, 41/2-ख, 41/2-ग, 41/2-घ, 41/2-ङ, 42/1, 42/2, 43, 46, 47, 48, 49, 50, 51, 52, 53, 53/1, 53/2, 54, 55/1, 55/2, 56/1, 56/2, 56/2-क, 56/2-ख, 61/1, 61/2, 62, 63/1, सड़क (भाग) ।



**सीमा वर्णन****भाग - क**

- क-ख-ग: रेखा 'क', ग्राम कुंभारखनी में प्लॉट संख्या 2 से आरंभ होती है और बिन्दु 'ख' के पास से गुजरती हुई ग्राम कुंभारखनी और ग्राम धोन्सा की सम्मिलित ग्राम सीमा पर बिन्दु 'ग' पर मिलती है।
- ग-घ-क रेखा ग्राम कुंभारखनी और ग्राम धोन्सा की सम्मिलित ग्राम सीमा के साथ-साथ गुजरती है फिर प्लॉट संख्या 2 से गुजरती है और आरंभिक बिन्दु 'क' पर मिलती है।

**भाग - ख**

- ड.-च रेखा ग्राम बिन्दु "ड." से आरंभ होती है और ग्राम फुलोर तथा ग्राम कुंभारखनी की सम्मिलित सीमा के साथ जाती है और ग्राम फुलार तथा प्लॉट संख्या 2 की बाहरी सीमा से एक साथ गुजरती है और ग्राम कुंभारखनी, धोन्सा और फुलोर की त्रिसंगीय सीमा पर बिन्दु "च" पर मिलती है।
- च-छ रेखा ग्राम कुंभारखनी तथा धोन्सा और प्लॉट संख्या 2 की बाहरी सीमा से एक साथ गुजरती है और बिन्दु "छ" पर मिलती है।
- छ-ज-झ-ञ रेखा ग्राम धोन्सा से होती हुई बिन्दु "ज" और "झ" के पास से गुजरती हुई प्लॉट संख्यांक 65/2, 65/1 की बाहरी सीमा से लगकर गुजरती है और ग्राम धोन्सा और फुलोर की सम्मिलित ग्राम सीमा पर बिन्दु "ञ" पर मिलती है।
- ज-ट रेखा ग्राम धोन्सा तथा फुलोर की सम्मिलित ग्राम सीमा के साथ गुजरती है और प्लॉट संख्या 2 की बाहरी सीमा से एक साथ गुजरती है और बिन्दु 'ट' पर मिलती है।
- ट-ठ-ड रेखा ग्राम फुलोर में प्लॉट संख्या 2 से होकर गुजरती है और बिन्दु 'ठ' के पास से गुजरती हुई ग्राम फुलोर और ग्राम रासा की सम्मिलित ग्राम सीमा पर बिन्दु "ड" पर मिलती है।
- ड-ड. रेखा ग्राम फुलोर और ग्राम रासा तथा प्लॉट संख्या 2 की बाहरी सीमा के साथ गुजरती है और आरंभिक बिन्दु "ड." पर मिलती है।

**भाग - ग**

- द-ण रेखा बिन्दु "द\_\_\_\_" ग्राम धोन्सा से आरंभ होती है और ग्राम धोन्सा से होकर गुजरती हुई प्लॉट संख्यांक 61/2, 61/1, 62 की बाहरी सीमा के साथ गुजरती है फिर सड़क के साथ गुजरती है और विदर्भ नदी के किनारे पर बिन्दु—“ण” पर मिलती है।
- ण-त-थ रेखा विदर्भ नदी के किनारे और प्लॉट संख्यांक 63/1, 46, 47, 48 की बाहरी सीमा से लगकर एक साथ गुजरती है फिर बिन्दु "त" के पास से गुजरती हुई फिर से विदर्भ नदी के किनारे और प्लॉट संख्यांक 42/2, 43, 42/1, 41/2-ड, 41/2-घ, 12/1 की बाहरी सीमा के साथ गुजरती है और बिन्दु "थ" पर मिलती है।
- थ-द-ध-न रेखा ग्राम धोन्सा से बिन्दु "द" और "ध" के पास गुजरती हुई प्लॉट संख्यांक 12/1, 41/1, 40/29, 40/28, 40/27, 40/26, 40/25, 40/24, 40/1 की बाहरी सीमा से होकर गुजरती है, सड़क पार करती है फिर पुनः प्लॉट संख्यांक 38/1, 37/1 की बाहरी सीमा से होकर गुजरती है और ग्राम धोन्सा और ग्राम फुलोर की सम्मिलित ग्राम सीमा पर बिन्दु "न" पर मिलती है।
- न-प-फ रेखा ग्राम फुलोर से होकर गुजरती है और बिन्दु "प" के पास से गुजरती हुई प्लॉट संख्यांक 26/1, 26/1क, 26/1ख, 26/2, 26/2क 26/3, 24/4 की बाहरी सीमा से होकर गुजरती है और ग्राम धोन्सा और ग्राम फुलोर की सम्मिलित ग्राम सीमा पर बिन्दु "फ" पर मिलती है।
- फ-द रेखा ग्राम धोन्सा से होकर प्लॉट संख्यांक 56/1, 56/2, 56/2क, 56/2ख, 61/1, 61/2 की बाहरी सीमा से होकर गुजरती है और आरंभिक बिन्दु "द" पर मिलती है।

New Delhi, the 8th December, 2010

**S. O. 3003.**—Whereas by the notification of the Government of India in the Ministry of Coal number S. O. 2639 dated the 15th September, 2009, issued under sub-section (1) of Section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) and published in the Gazette of India, Part - II, Section 3, Sub-section (ii) dated the 26th September, 2009, the Central Government gave notice of its intention to prospect for coal in 114.65 hectares (approximately) or 283.30 acres (approximately) of the land in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of said land prescribed in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire all rights in or over the land measuring 110.761 hectares (approximately) or 273.690 acres (approximately) described in Schedule appended hereto.

**Note 1 :** The plan bearing number C-1(E)III/JJNR/824- 0410 dated the 19th April, 2010 of the area covered by this notification may be inspected at the office of the Collector, Yavatmal (Maharashtra) or at the office of the Coal Controller, 1, Council House Street, Kolkata, Pin- 700001 or at the office of the General Manager, Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur - 440001 (Maharashtra).

**Note 2 :** Attention is hereby invited to the provisions of Section 8 of the said Act which provide as follows :-

#### **Objections to Acquisition :**

“8(1) Any person interested in any land in respect of which a notification under section 7 has been issued, may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

#### **Explanation :-**

- (1) It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.
- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of Section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.
- (3) For the purpose of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.”

**Note 3 :** The Coal Controller, 1, Council House Street, Kolkata- 700 001 has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide notification number S.O. 2519, dated the 27th May, 1983, published in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 11th June, 1983.

#### **SCHEDULE**

#### **GHONSA CENTRAL AND NORTH QUARRY BLOCK**

#### **WANI NORTH AREA**

#### **DISTRICT YAVATMAL (MAHARASHTRA)**

[ Plant bearing number : C-1 (E) III/JJNR/824-0410 dated the 19th April, 2010 ]

**ALL RIGHTS :****PART-A**

Sl. No.	Name of Village	Patwari Circle number	Tahsil	District	Area in Hectares	Remarks
1.	Kumbharkhani	42	Wani	Yavatmal	8.30	Part
			<b>Total :</b>	<b>8.30 Hectares (approximately) or 20.509 Acres (approximately)</b>		

**PART-B**

Sl. No.	Name of Village	Patwari Circle number	Tahsil	District	Area in Hectares	Remarks
1.	Fulor	230	Wani	Yavatmal	25.35	Part
2.	Ghonsa	98	Wani	Yavatmal	3.48	Part
			<b>Total :</b>	<b>28.83 Hectares (approximately) or 71.239 Acres (approximately)</b>		

**PART-C**

Sl. No.	Name of Village	Patwari Circle number	Tahsil	District	Area in Hectares	Remarks
1.	Ghonsa	98	Wani	Yavatmal	62.801	Part
2.	Fulor	230	Wani	Yavatmal	10.83	Part
			<b>Total :</b>	<b>73.631 Hectares (approximately) or 181.942 Acres (approximately)</b>		

**(ALL Rights) :**

PART-A	+	PART-B	+	PART-C	=	Total Area
8.300	+	28.830	+	73.631	=	110.761 Hectares (approximately)
OR						
20.509	+	71.239	+	181.942	=	273.690 Acres (approximately)

**PLOT ACQUIRED IN VILLAGE****PART-A**

Plot numbers to be acquired in village Kumbharkhani :

2(P) Government.

**PART-B**

Plot numbers to be acquired in village Fulor :

2(P) Forest and Government (Canal).

**Plot numbers to be acquired in village Ghonsa :**

65/1, 65/2.

**PART-C****Plot numbers to be acquired in village Fulor :**

26/1, 26/1-A, 26/1-B, 26/2, 26/2-A, 26/3, 26/4.

**Plot numbers to be acquired in village Ghonsa :**

12/1, 37/1, 38/1, 38/2, 39, 40/1 to 40/77, 41/1, 41/1-A, 41/2, 41/2-A, 41/2-B, 41/2-C, 41/2-D, 41/2-E, 42/1, 42/2, 43, 46, 47, 48, 49, 50, 51, 52, 53/1, 53/2, 54, 55/1, 55/2, 56/1, 56/2, 56/2-A, 56/2-B, 61/1, 61/2, 62, 63/1, Road (Part).

**BOUNDARY DESCRIPTION****PART-A**

A-B-C : Line starts from Point 'A' through plot number 2 in village Kumbharkhani and passes nearby Point 'B' and meets at Point 'C' on common village boundary of villages Kumbharkhani and Ghonsa.

C-D-A : Line passes along the common village boundary of villages Kumbharkhani and Ghonsa, then passes through plot number 2 and meets at starting Point 'A'.

**PART - B**

E-F : Line starts from Point 'E' and passes simultaneously along the common boundary of villages Kumbharkhani and Fulor and outer boundary of plot number 2 and meets at Point 'F' on tri-junction of villages Kumbharkhani, Ghonsa and Fulor.

F-G : Line passes simultaneously along the common boundary of villages Kumbharkhani and Ghonsa and outer boundary of plot number 2 and meets at Point 'G'.

G-H-I-J : Line passes through village Ghonsa and passes nearby Point 'H' & 'I' along the outer boundary of plot numbers 65/2 and 65/1 and meets at Point J on common boundary of villages Ghonsa and Fulor.

J-K : Line passes simultaneously along the common boundary of villages Ghonsa and Fulor and outer boundary of plot number 2 and meets at Point 'K'.

K-L-M : Line passes through plot number 2 in village Fulor and passes nearby Point 'L' and meets at Point 'M' on common boundary of villages Fulor and Rasa.

M-E : Line passes simultaneously along the common boundary of villages Fulor and Rasa and outer boundary of plot number 2 and meets at starting Point 'E'.

**PART-C**

N-O : Line starts from Point 'N' in village Ghonsa and passes through village Ghonsa along with the outer boundary of plot numbers 61/2, 61/1, 62, then passes along the road and meets at Point 'O' on Bank of Vidarbha River.

O-P-Q : Line passes simultaneously along the Vidarbha River and outer boundary of plot numbers 63/1, 46, 47, 48, then passes nearby Point 'P' and again passes simultaneously along the Vidarbha River and outer boundary of plot numbers 42/2, 43, 42/1, 41/2-E, 41/2-D, 12/1 and meets at Point 'Q'.

Q-R-S-T : Line passes through village Ghonsa and passes nearby Point 'R' & 'S' along with the outer boundary of plot number 12/1, 41/1, 40/29, 40/28, 40/27, 40/26, 40/25, 40/24, 40/1, crosses road, then again passes along the outer boundary of plot number 38/1, 37/1 and meets at Point 'T' on common boundary of villages Ghonsa and Fulor.

T-U-V : Line passes through village Fulor and passes nearby Point 'U' along the outer boundary of plot number 26/1, 26/1A, 26/1B, 26/2, 26/2A, 26/3, 26/4 and meets at Point 'V' on common boundary of villages Fulor and Ghonsa.

V-N : Line passes through village Ghonsa along with the outer boundary of plot numbers 56/1, 56/2, 56/2A, 56/2B, 61/1, 61/2 and meets at starting Point 'N'.

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 3 दिसम्बर, 2010

का. आ. 3004.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतुनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एस. राजामनिक्कम, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 9डी/6डी, रामकृष्णापुरम, पील्लैयार कोवील के सामने, करूर - 639001, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तालुक : आलुर	जिला : सेलम	राज्य : तमिलनाडु		
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.-यू.-अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) अप्पम्मासमुद्रम	सर्वे न. 184/7 में नाला	00	05	56
	सर्वे न. 184/6 में नाला	00	02	03
	184/5	00	17	99
	184/8	00	19	57
	184/9	00	04	27
	184/2	00	15	52
	184/1	00	10	87
	185/1	00	02	09
	सर्वे न. 181 में रास्ता	00	07	23
	सर्वे न. 178/12 में रास्ता	00	00	54
	सर्वे न. 178/13 में रास्ता	00	02	96
	सर्वे न. 178/14 में रास्ता	00	01	31
	178/6	00	00	13
	178/7	00	06	10
	178/8	00	39	04
	178/9	00	00	75
	176/2	00	00	49

1	2	3	4	5
1) अप्पम्मासमुद्रम (निरंतर)	176/6	00	07	18
	176/4	00	25	85
	175/3	00	02	34
	176/5	00	28	01
	174/1	00	09	14
	174/2	00	20	79
	172/2	00	05	43
	173/2	00	03	75
	173/1वी	00	33	18
	173/4	00	02	76
	234/1	00	32	32
	173/1ए	00	10	55
	सर्वे न. 235 में नाला	00	07	66
	236/6	00	06	82
	सर्वे न. 236/2 में रास्ता	00	06	09
	सर्वे न. 236/5 में रास्ता	00	29	29
	236/4	00	19	20
	238/1वी	00	46	61
	248/2	00	33	47
	255/3	00	14	50
	255/8	00	00	83
	255/4	00	07	19
	255/6	00	14	63
	255/5	00	25	75
	254/3सी	00	00	98
	256	00	03	59
	254/5	00	02	30
	254/3वी	00	00	95
	254/4	00	26	55
	सर्वे न. 254/5 में रास्ता	00	06	19
	सर्वे न. 253 में रास्ता	00	29	46
	272/3ए	00	21	56
	272/3वी	00	08	44
	272/5	00	01	54
	272/4	00	03	96
	272/8	00	15	65
	272/7	00	08	65
	272/6	00	04	99
	274/14	00	01	44
	सर्वे न. 271 में नाला	00	13	62
	270	00	11	38
	283	00	50	11
	284/1	00	35	21
	286/7	00	00	10
	286/6	00	16	80
	286/5वी	00	02	60

1	2	3	4	5
1) अप्पम्मास्समुद्रमं (मिरन्तर)	286/5सी	00	02	39
	286/5डी	00	16	55
	286/4वी	00	12	35
	286/4सी	00	03	99
	286/3वी	00	09	10
	286/3ए	00	02	16
	286/2	00	11	62
	286/1ड	00	05	75
	286/1डी	00	05	40
	285/8सी	00	04	27
	285/8वी	00	07	19
	285/6वी	00	03	76
	285/6सी	00	07	36
	285/4	00	04	08
	285/5	00	19	46
2) रामानायकनपालयम	396/9सी	00	07	23
	397/1जी	00	06	18
	396/5वी	00	04	66
	397/1एफ	00	10	15
	397/1ई	00	03	74
	397/1सी	00	08	56
	397/1डी	00	01	48
	397/1वी	00	02	81
	397/1ए	00	01	25
	398/6वी	00	02	64
	398/6ए	00	02	03
	398/5	00	03	24
	398/3	00	10	09
	398/4	00	03	31
	398/7	00	08	71
	सर्वे न. 395 में रास्ता	00	04	25
	394/4	00	00	76
	393/3सी	00	10	52
	393/4	00	04	38
	393/2वी	00	26	96
	393/2ए	00	08	91
	393/1ए	00	06	98
	393/7ए	00	02	41
	393/7वी	00	07	11
	393/7सी	00	00	69
	393/6	00	00	10
	392/4वी	00	25	29
	392/6	00	12	89
	405/3एफ	00	00	64
	392/5वी	00	44	60
	392/5ए	00	02	20

1	2	3	4	5
2) रामानाथक्कनपालयम (निरंतर)	404	00	00	43
	405/1	00	12	12
	406/8	00	01	79
	406/5	00	09	60
	406/4	00	11	16
	406/2	00	02	01
	406/1	00	11	48
	387/3	00	04	89
	387/4	00	11	54
	387/5	00	00	10
	387/1बी	00	31	04
	407/2	00	32	74
	407/1	00	00	70

तालुक धनमक्कल	जिला धनमक्कल	राज्य धनमिलनाडु		
1) 124. चलायप्पटि	10/1बी	00	03	54
	10/1सी	00	15	59
	10/1डी	00	00	10
	10/1ड	00	14	93
	सर्वे न. 7 में रास्ता	00	04	07
	23/2	00	24	59
	23/3	00	46	15
	24/2	00	08	38
	24/1	00	00	26
	22/1	00	05	62
	22/2	00	01	83
	22/5	00	16	36
	22/3	00	03	27
	41/3	00	23	46
	41/2	00	03	80
	41/1बी	00	00	12
	सर्वे न. 40 में नाला	00	05	31
	43/4	00	26	12
	43/3	00	22	80
	सर्वे न. 63 में रास्ता	00	01	92
	सर्वे न. 44 में रास्ता	00	03	43
	49/1सी	00	12	89
	62/2	00	11	24
	62/3	00	33	71
	50/2	00	35	43
	55/3	00	06	54
	55/1	00	47	44
	58/1	00	08	54
	58/2	00	04	91
	60/1ए	00	35	04
	60/5	00	09	13
	58/3	00	07	17
	सर्वे न. 59 में नाला	00	14	50



1	2	3	4	5
2) पोटिरेडिडपटि	4	00	37	85
	3	00	11	66
	457	00	72	17
	8	00	27	17
	9	00	00	10
	10	00	09	45
3) आन्डापुम	367	00	39	72
	365	00	37	85
	364	00	30	35
4) अरसानट्टम	सर्वे न. 14/5 में रास्ता	00	05	70
	14/3	00	04	35
	14/4एफ	00	04	54
	14/4जी1	00	03	08
	14/4जी2	00	03	05
	14/4इ	00	03	66
	14/4डी	00	00	10
	सर्वे न. 27/1 में रास्ता	00	07	56
	27/2बी	00	11	64
	27/2ए	00	12	00
	27/2डी	00	05	00
	27/2सी	00	14	69
	28/1	00	06	17
	28/2	00	05	20
	28/3	00	12	04
	28/5	00	00	10
	28/4	00	11	80
	28/12	00	37	13
	30/2	00	39	16
	30/12	00	01	71
	42/4ए	00	07	44
	42/4बी2	00	15	54
	42/5	01	04	64
	42/4डी3	00	00	33
	42/4इ	00	00	17
	सर्वे न. 4911 में रास्ता	00	16	99
	49/1ए2	00	09	54
	49/1बी	00	24	54
	50/1ए	00	22	15
	50/1बी	00	09	35
	50/2	00	13	22
5) ओरावन्दुर	44	00	17	57
	45/1सी	00	03	70
	45/1सी	00	30	05
	45/1ए2	00	36	97
	45/1ए1	00	19	12
	46/2	00	00	41

1	2	3	4	5
5) ओराबन्दुर (निरंतर)	सर्वे न. 423 में रास्ता	00	04	46
	424/1ए	00	31	85
	424/1वी1	00	00	35
	422/5	00	08	93
	422/4	00	00	10
	422/6वी	00	12	73
	422/6ए	00	00	42
	422/6सी	00	02	63
	422/6डी	00	09	14
	422/7	00	11	74
	419	00	68	15
	418/1ड1	00	09	02
	418/1ड3	00	07	57
	418/2ड1	00	07	77
	418/2एफ	00	09	08
	417/2	00	15	51
	416/6ए	00	03	58
	416/5	00	14	66
	415	00	17	37
	414	00	14	86
	413/3ए	00	03	42
	413/1ई	00	10	47
	413/1डी	00	01	52
	413/3वी	00	01	14
	413/2	00	12	30
	411/4वी	00	06	94
	411/4ए	00	18	81
	411/11	00	00	67
	411/12	00	04	31
	411/18ए	00	02	90
	411/18वी	00	04	54
	411/13	00	00	42
	411/18सी	00	20	11
	411/15	00	00	56
	411/17	00	02	39
	409	00	15	81
	408/4	00	15	25
	408/5	00	28	16
	408/6वी	00	08	38
	सर्वे न. 658 में रास्ता	00	04	78
	466/1ए	00	29	03

1	2	3	4	5
5) ओरावन्दुर (निरंतर)	467/2ए	00	13	86
	467/3	00	12	09
	471/5	00	22	01
	467/4ए	00	07	77
	467/4बी	00	07	60
	467/5	00	08	11
	471/4	00	08	59
	471/3	00	00	27
	470	00	76	49
	469	00	29	17
	474/5	00	00	29
	474/6	00	03	03
	476/1सी	00	20	83
	476/1बी	00	06	40
	476/1बी	00	10	39
	476/2ए	00	00	10
	476/2ए	00	32	14
	सर्वे न. 477 में रास्ता	00	05	02
	478/1	00	00	64
	478/2	00	08	94
	489/1	00	33	69
	489/2	00	13	71
	488/2डी	00	08	76
	490/1ए	00	40	12
	490/2	00	06	20
	513	00	28	34
	514/1ए	00	46	00
	517/1डी	00	08	58
	516/1ज	00	03	50
	517/1ई	00	01	05
	516/1आइ	00	28	65
	516/2ज	00	07	47
	516/1एच	00	00	10
	516/2आइ	00	03	43
	515	00	64	04
	546/1डी	00	05	38
	546/3डी	00	01	66
	546/1सी2	00	05	33
	546/3सी2	00	07	30
	546/1सी1	00	00	34
	546/3सी1	00	17	30

1	2	3	4	5
5) ओरावन्दुर (निरंतर)	546/3बी	00	09	55
	546/3ए2	00	02	35
	546/3ए1	00	01	03

तालुक श्रासिपुरम	जिला : नमक्कल	राज्य : तमिलनाडु		
1) कारकुडालप्पटि	717/9	00	02	75
	717/8	00	16	81
	717/2	00	32	81
	717/3	00	15	51
	717/5	00	02	82
	716	00	55	71
	698/2	00	04	72
	715	00	04	12
	698/3	00	02	18
	698/1	00	11	16
	697	00	25	26
	694/3	00	21	56
	694/1	00	16	25
	693	00	28	63
	687/2सी	00	15	79
	687/2बी	00	01	13
	687/2ए	00	14	18
	687/4	00	12	31
	687/3	00	11	71
	687/1	00	41	06
	686	00	00	91
	सर्वे न. 684 में रास्ता	00	02	43
	685	00	47	61
	681	00	30	65
	सर्वे न. 673 में रास्ता	00	05	53
	672	00	06	34
	266/4	00	29	96
	266/3	00	01	13
	266/2	00	17	31
	267/1	00	12	99
	267/2	00	48	05
	274	00	08	93
	268/2	00	12	42
	273	00	42	37
	269	00	30	24
	सर्वे न. 271 में नाला	00	11	51
	238	00	02	91
	239	00	53	24

	2	3	4	5
1) कारकुडालप्पटि (निरंतर)	228	00	53	78
	229	00	15	85
	230	00	69	56
	209	00	42	11
सर्वे न. 192 में रास्ता		00	55	47
	206	00	01	76
	193	00	07	60
	194	00	70	40
	198	00	21	56
	199	00	39	84
	202	00	30	87
	169	00	78	38
	170	00	00	67
	168	00	41	15
	171	00	00	31
	167	00	48	34
सर्वे न. 329 में नाला		00	10	19
	327	00	47	38
	326	00	20	96
	333	00	31	35
	323	00	22	56
	334	00	35	93
	335	00	28	50

तालुक : तोटियम	जिला : तिरुच्चिरापल्लि	राज्य : तमिलनाडु		
1) मुरुंगय	203/1	00	05	07
	203/2	00	05	31
	203/6	00	00	17
	203/5	00	08	95
	203/4वी	00	03	54
	203/4ए	00	00	10
	203/4सी	00	03	21
	203/12ए	00	03	83
	203/11ए	00	03	57
	203/11वी	00	06	75
	203/11सी	00	07	83
	203/11डी	00	02	24
	203/13	00	10	47
	203/14वी	00	03	17
	203/14ए	00	04	72
	203/15	00	12	91
	203/17	00	01	85
	203/10	00	08	00

1	2	3	4	5
1) मुरंगय (निरंतर)	203/10	00	10	89
	204/3	00	08	51
	204/2वी	00	20	87
	204/4ए	00	06	56
	204/4वी	00	02	40
	204/5ए	00	11	27
	204/2	00	21	22
	204/2ए	00	00	51
	सर्वे न. 205 में रास्ता	00	04	29
	212/1वी	00	04	57
	212/1ए	00	16	65
	212/1सी	00	03	43
	212/2	00	08	81
	212/3वी	00	27	38
	212/4	00	12	80
	213/1	00	19	44
	213/2	00	13	35
	213/3	00	02	68
2) किडारम	सर्वे न. 55/4 में रास्ता	00	10	21
	55/3इ	00	00	52
	सर्वे न. 56/6 में रास्ता	00	06	19
	56/3ए	00	07	53
	56/4सी	00	12	88
	56/5	00	28	84
	56/2सी	00	02	09
	71/4	00	09	21
	71/1	00	16	67
	70/2सी	00	11	14
	70/2वी	00	05	45
	70/2ए	00	01	13
	70/3ए	00	08	21
	70/3वी	00	00	45
	सर्वे न. 72/1ए में रास्ता	00	00	43
	73	00	53	42
	72/1डी	00	00	10
	74/21	00	12	29
	74/2वी	00	04	95
	74/2ए	00	05	91
	74/3	00	11	65
	75/1वी	00	01	17
	75/1ए	00	07	84

1	2	3	4	5
2) किडारम (निरंतर)	75/2	00	10	64
	75/6वी	00	00	25
	75/6ए	00	07	79
	75/7	00	23	95
	255/1सी	00	00	63
	256/1ए	00	09	99
	256/2ए	00	04	54
	257/1	00	00	56
	255/1ए	00	06	47
	255/2वी	00	08	95
	255/2वी	00	13	26
	255/3सी	00	13	83
	255/3वी	00	01	82
	सर्वे न. 260 में रास्ता	00	05	51
	261/1	00	15	48
	261/2	00	15	78
	264/1	00	15	24
	264/2	00	13	53
	265/1ए	00	11	79
	265/2ए	00	26	91
	266/1ए	00	15	53
	266/1वी	00	23	41
	सर्वे न. 247/11 में रास्ता	00	04	32
	247/4	00	09	42
	247/9	00	14	39
	247/10	00	25	28
	247/8	00	00	10
	267/1ए	00	00	20
	70/3सी	00	00	10
3) उन्निथुर	133	00	18	77
	71/2	00	00	78
	71/1	00	38	43
	68/1वी2ए	00	00	79
	68/1वी2वी	00	01	80
	सर्वे न. 70 में रास्ता	00	02	92
	7	00	03	01
	6/2	00	01	61
	6/3	00	08	16
	6/4	00	00	10
	5/2	00	08	73
	5/3	00	17	76

1	2	3	4	5
3) उन्निपुर (निरंतर)	5/4	00	21	74
	सर्वे न. 5/5 में नाला	00	03	00
	190	00	07	21
	188/1बी	00	01	94
	188/3ए	00	17	41

[फा सं. एल. 14014-93-2010 जी.सी.]

स्नेह प्रभा प्रधान, अवर सचिव

## MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 3rd December, 2010

S. O. 3004.—Whereas it appears to the Government of India that it is necessary in the public interest that for the transportation of Natural Gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamilnadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to the Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri S.Rajamanickam, Competent Authority, Relogistics Infrastructure Limited, No. 9D/6D Ramakrishnapuram, Opp.Pillayar Kovil, Karur – 639 001, Tamil Nadu State



## Schedule

Taluk:Attur		District:Salem		State:Tamil Nadu	
Village	Survey No. /Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Appammasamudram	Nala in Survey No. 184/7	00	05	56	
	Nala in Survey No. 184/6	00	02	03	
	184/5	00	17	99	
	184/8	00	19	57	
	184/9	00	04	27	
	184/2	00	15	52	
	184/1	00	10	87	
	185/1	00	02	09	
	Road in Survey No. 181	00	07	23	
	Road in Survey No. 178/12	00	00	54	
	Road in Survey No.178/13	00	02	96	
	Road in Survey No. 178/14	00	01	31	
	178/6	00	00	13	
	178/7	00	06	10	
	178/8	00	39	04	
	178/9	00	00	75	
	176/2	00	00	19	
	176/6	00	07	18	
	176/4	00	25	85	
	175/3	00	02	34	
	176/5	00	28	01	
	174/1	00	09	14	
	174/2	00	20	79	
	172/2	00	05	43	
	173/2	00	03	75	
	173/1B	00	33	18	
	173/4	00	02	76	
	234/1	00	32	32	
	173/1A	00	10	55	
	Nala in Survey No. 235	00	07	66	
	236/6	00	06	82	
	Road in Survey No. 236/2	00	06	09	
	Road in Survey No. 236/5	00	29	29	
	236/4	00	19	20	
	238/1B	00	46	61	
	248/2	00	33	47	
	255/3	00	14	50	

1	2	3	4	5
1) Appammasamudram (Contd)	255/8	00	00	83
	255/4	00	07	19
	255/6	00	14	63
	255/5	00	25	75
	254/3C	00	00	98
	256	00	03	59
	254/5	00	02	30
	254/3B	00	00	95
	254/4	00	26	55
	Road in Survey No. 254/5	00	06	19
	Road in Survey No. 253	00	29	46
	272/3A	00	21	56
	272/3B	00	08	44
	272/5	00	01	54
	272/4	00	03	96
	272/8	00	15	65
	272/7	00	08	65
	272/6	00	04	99
	274/14	00	01	44
	Nala in Survey No.271	00	13	62
	270	00	11	38
	283	00	50	11
	284/1	00	35	21
	286/7	00	00	10
	285/6	00	16	80
	286/5B	00	02	60
	286/5C	00	02	39
	286/5D	00	16	55
	286/4B	00	12	30
	286/4C	00	03	99
	286/3B	00	09	10
	286/3A	00	02	16
	286/2	00	11	62
	286/1E	00	05	75
	286/1D	00	05	40
	285/8C	00	04	27
	285/8B	00	07	19
	285/6B	00	03	76
	285/6C	00	07	36
	285/4	00	04	08
	285/5	00	19	46

1	2	3	4	5
2) Ramanayakkanpalayam	396/9C	00	07	23
	397/1G	00	06	18
	396/5B	00	04	66
	397/1F	00	10	15
	397/1E	00	03	74
	397/1C	00	08	56
	397/1D	00	01	48
	397/1B	00	02	81
	397/1A	00	01	25
	398/6B	00	02	64
	398/6A	00	02	03
	398/5	00	03	24
	398/3	00	10	09
	398/4	00	03	31
	398/7	00	08	71
	Road in Survey No. 395	00	04	25
	394/4	00	00	76
	393/3C	00	10	52
	393/4	00	04	38
	393/2B	00	26	96
	393/2A	00	08	91
	393/1A	00	06	98
	393/7A	00	02	41
	393/7B	00	07	11
	393/7C	00	00	69
	393/6	00	00	10
	392/4B	00	25	29
	392/6	00	12	89
	405/3F	00	00	64
	392/5B	00	44	60
	392/5A	00	02	20
	404	00	00	43
	405/1	00	12	12
	406/8	00	01	79
	406/5	00	09	60
	406/4	00	11	16
	406/2	00	02	01
	406/1	00	11	48
	387/3	00	04	89
	387/4	00	11	54
	387/5	00	00	10

1	2	3	4	5
2) Ramanayakkanpalayam (Contd)	387/1B	00	31	04
	407/2	00	32	74
	407/1	00	00	70
Taluk:Namakkal	District:Namakkal	State:Tamil Nadu		
1) 124 . Valaiyappatti	10/1B	00	03	54
	10/1C	00	15	59
	10/1D	00	00	10
	10/1E	00	14	93
	Road in Survey No. 7	00	04	07
	23/2	00	24	59
	23/3	00	46	15
	24/2	00	08	38
	24/1	00	00	26
	22/1	00	05	62
	22/2	00	01	83
	22/5	00	16	36
	22/3	00	03	27
	41/3	00	23	46
	41/2	00	03	80
	41/1B	00	00	12
	Nala in Survey No. 40	00	05	31
	43/4	00	26	12
	43/3	00	22	80
	Road in Survey No.63	00	01	92
	Road in Survey No. 44	00	03	43
	49/1C	00	12	89
	62/2	00	11	24
	62/3	00	33	71
	50/2	00	35	43
	55/3	00	06	54
	55/1	00	47	44
	58/1	00	08	54
	58/2	00	04	91
	60/1A	00	35	04
	60/5	00	09	13
	58/3	00	07	17
	Nala in Survey No. 59	00	14	50
2) Pottireddipatty	4	00	37	85
	3	00	11	66
	457	00	72	17
	8	00	27	17
	9	00	00	10

1	2	3	4	5
2) Pottureddipatty (Contd)	10	00	09	45
3) Andapuram	367	00	39	72
	365	00	37	85
	364	00	30	35
4) Arasanatham	Road in Survey No. 14/5	00	05	70
	14/3	00	04	35
	14/4F	00	04	54
	14/4G1	00	03	08
	14/4G2	00	03	05
	14/4E	00	03	66
	14/4D	00	00	10
	Road in Survey No.27/1	00	07	56
	27/2B	00	11	64
	27/2A	00	12	00
	27/2D	00	05	00
	27/2C	00	14	69
	28/1	00	06	17
	28/2	00	05	20
	28/3	00	12	04
	28/5	00	00	10
	28/4	00	11	80
	28/12	00	37	13
	30/2	00	39	16
	30/12	00	01	71
	42/4A	00	07	44
	42/4B2	00	15	54
	42/5	01	04	64
	42/4D3	00	00	33
	42/4E	00	00	17
	Road in Survey No. 49/1A1	00	16	99
	49/1A2	00	09	54
	49/1B	00	24	54
	50/1A	00	22	15
	50/1B	00	09	35
	50/2	00	13	22
5) Oravandur	44	00	17	57
	45/1C	00	03	70
	45/1B	00	30	05
	45/1A2	00	36	97
	45/1A1	00	19	12
	46/2	00	00	41

1	2	3	4	5
5) Oravandur (Contd)	Road in Survey No. 423	00	04	46
	424/1A	00	31	85
	424/1B1	00	00	35
	422/5	00	08	93
	422/4	00	00	10
	422/6B	00	12	73
	422/6A	00	00	42
	422/6C	00	02	63
	422/6D	00	09	14
	422/7	00	11	74
	419	00	68	15
	418/1E1	00	09	02
	418/1E3	00	07	57
	418/2E1	00	07	77
	418/2F	00	09	08
	417/2	00	15	51
	416/6A	00	03	58
	416/5	00	14	66
	415	00	17	37
	414	00	14	86
	413/3A	00	03	42
	413/1E	00	10	47
	413/1D	00	01	52
	413/3B	00	01	14
	413/2	00	12	30
	411/4B	00	06	94
	411/4A	00	18	81
	411/11	00	00	67
	411/12	00	04	31
	411/18A	00	02	90
	411/18B	00	04	54
	411/13	00	00	42
	411/18C	00	20	11
	411/15	00	00	56
	411/17	00	02	39
	409	00	15	81
	408/4	00	15	25
	408/5	00	28	16
	408/6B	00	08	38
	Road in Survey No. 658	00	04	78
	466/1A	00	29	03

1	2	3	4	5
5) Oravandur (Contd)	467/2A	00	13	86
	467/3	00	12	09
	471/5	00	22	01
	467/4A	00	07	77
	467/4B	00	07	60
	467/5	00	08	11
	471/4	00	08	59
	471/3	00	00	27
	470	00	76	49
	469	00	29	17
	474/5	00	00	29
	474/6	00	03	03
	476/1C	00	20	83
	476/1B	00	06	40
	476/1A	00	10	39
	476/2B	00	00	10
	476/2A	00	32	14
	Road in Survey No. 477	00	05	02
	478/1	00	00	64
	478/2	00	08	94
	489/1	00	33	69
	489/2	00	13	71
	488/2D	00	08	76
	490/1A	00	40	12
	490/2	00	06	20
	513	00	28	34
	514/1A	00	46	00
	517/1D	00	08	58
	516/1J	00	03	50
	517/1E	00	01	05
	516/1I	00	28	65
	516/2J	00	07	47
	516/1H	00	00	10
	516/2I	00	03	43
	515	00	64	04
	546/1D	00	05	38
	546/3D	00	01	66
	546/1C2	00	05	33
	546/3C2	00	07	30
	546/1C1	00	00	34
	546/3C1	00	17	30

1	2	3	4	5
5) Oravandur (Contd)	546/3B	00	09	55
	546/3A2	00	02	35
	546/3A1	00	01	03
<b>Taluk: Rasipuram</b>				
<b>District: Namakkal</b>				
<b>State: Tamil Nadu</b>				
1) Karkudalpatti	717/9	00	02	75
	717/8	00	16	81
	717/2	00	32	81
	717/3	00	15	51
	717/5	00	02	82
	716	00	55	71
	698/2	00	04	72
	715	00	04	12
	698/3	00	02	18
	698/1	00	11	16
	697	00	25	26
	694/3	00	21	56
	694/1	00	16	25
	693	00	28	63
	687/2C	00	15	79
	687/2B	00	01	13
	687/2A	00	14	18
	687/4	00	12	31
	687/3	00	11	71
	687/1	00	41	06
	686	00	00	91
	Road in Survey No. 684	00	02	43
	685	00	47	61
	681	00	30	65
	Road in Survey No. 673	00	05	53
	672	00	06	34
	266/1	00	29	96
	266/3	00	01	13
	266/2	00	17	31
	267/1	00	12	99
	267/2	00	48	05
	274	00	08	93
	268/2	00	12	42
	273	00	42	37
	269	00	30	24
	Nala in Survey No. 271	00	11	51
	238	00	02	91
	239	00	53	24



1	2	3	4	5
1) Karkudalpatti (Contd)	228	00	53	78
	229	00	15	85
	230	00	69	56
	209	00	42	11
	Road in Survey No. 192	00	55	47
	206	00	01	76
	193	00	07	60
	194	00	70	40
	198	00	21	56
	199	00	39	84
	202	00	30	87
	169	00	78	38
	170	00	00	67
	168	00	41	15
	171	00	00	31
	167	00	48	34
	Nala in Survey No. 329	00	10	19
	327	00	47	38
	326	00	20	96
	333	00	31	35
	323	00	22	56
	334	00	35	93
	335	00	28	50

Taluk:Thottiyam	District:Tiruchirappalli	State:Tamil Nadu		
1) Murungai	203/1	00	05	07
	203/2	00	05	31
	203/6	00	00	17
	203/5	00	08	95
	203/4B	00	03	54
	203/4A	00	00	10
	203/4C	00	03	21
	203/12A	00	03	83
	203/11A	00	03	57
	203/11B	00	06	75
	203/11C	00	07	83
	203/11D	00	02	24
	203/13	00	10	47
	203/14B	00	03	17
	203/14A	00	04	72
	203/15	00	12	91
	203/17	00	01	85
	203/10P	00	08	00

1	2	3	4	5
1) Murungai (Contd)	203/100	00	10	89
	204/3	00	08	51
	204/2B	00	20	87
	204/4A	00	06	56
	204/4B	00	02	40
	204/5A	00	11	27
	204/2C	00	21	22
	204/2A	00	00	51
	Road in Survey No.205	00	04	29
	212/1B	00	04	57
	212/1A	00	16	65
	212/1C	00	03	43
	212/2	00	08	81
	212/3B	00	27	38
	212/4	00	12	80
	213/1	00	19	44
	213/2	00	13	35
	213/3	00	02	68
2) Kidaram	Road in Survey no. 55/4	00	10	21
	55/3E	00	00	52
	Road in Survey No. 56/6	00	06	19
	56/3A	00	07	53
	56/4C	00	12	88
	56/5	00	28	84
	56/2C	00	02	09
	71/4	00	09	21
	71/1	00	16	67
	70/2C	00	11	14
	70/2B	00	05	45
	70/2A	00	01	13
	70/3A	00	08	21
	70/3B	00	00	45
	Road in Survey No. 72/1A	00	00	43
	73	00	53	42
	72/1D	00	00	10
	74/21	00	12	29
	74/2B	00	04	95
	74/2A	00	05	91
	74/3	00	11	65
	75/1B	00	01	17
	75/1A	00	07	84

1	2	3	4	5
2) Kidaram (Contd)	75/2	00	10	64
	75/6B	00	00	25
	75/6A	00	07	79
	75/7	00	23	95
	255/1C	00	00	63
	256/1A	00	09	99
	256/2A	00	04	54
	257/1	00	00	56
	255/1D	00	06	47
	255/2A	00	08	95
	255/2B	00	13	26
	255/3C	00	13	83
	255/3B	00	01	82
	Road in Survey No. 260	00	05	51
	261/1	00	15	48
	261/2	00	15	78
	264/1	00	15	24
	264/2	00	13	53
	265/1A	00	11	79
	265/2A	00	26	91
	266/1A	00	15	53
	266/1B	00	23	41
	Road in Survey No. 247/11	00	04	32
	247/4	00	09	42
	247/9	00	14	39
	247/10	00	25	28
	247/8	00	00	10
	267/1A	00	00	20
	70/3C	00	00	10
3) Unniyur	133	00	18	77
	71/2	00	00	78
	71/1	00	38	43
	68/1B2A	00	00	79
	68/1B2B	00	01	80
	Road in Survey No. 70	00	02	92
	7	00	03	01
	6/2	00	01	61
	6/3	00	08	16
	6/4	00	00	10
	5/2	00	08	73
	5/3	00	17	76

1	2	3	4	5
3) Unniyur (Contd)	5/4	00	21	74
	Nala in survey No. 5/5	00	03	00
	190	00	07	21
	188/1B	00	01	94
	188/3A	00	17	41

[F. No. L-14014/93/2010-GP]  
SNEH P. MADAN, Under Secy

नई दिल्ली, 3 दिसम्बर, 2010

का. आ. 3005.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुत्तनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वी. वेंकटसुब्बु, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, नं. 89, डॉ. राधाकृष्णन सलाई, छठवीं मंजिल, मैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तालुक : तिरुवन्नामलाय		जिला : तिरुवन्नामलाई		राज्य : तमिलनाडु			
गौव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल			हेक्टेयर	एयर	सि एयर
		3	4	5			
1	2	3	4	5			
1) अरुम्पाक्काम	68/1	00	35	28			
	67/3बी	00	01	68			
	67/5ए	00	17	05			
	67/4ए1	00	05	54			
	67/4ए2	00	00	14			
	67/4बी	00	13	30			
	67/4सी	00	00	55			
	67/ई1	00	00	31			
	67/ई2	00	14	89			
	67/6सी	00	17	39			
	65/2	00	21	02			
	64/2बी	00	00	55			
	64/2ए	00	23	67			
	64/6	00	21	86			
	64/4	00	11	20			
	64/5	00	14	96			
2) तालय्याम्पल्लम	117/5बी	00	01	38			
	118/4बी	00	12	46			
	118/4ए	00	04	57			
	118/3ए	00	01	64			
	118/3बी	00	25	76			
	118/5ए	00	02	11			
	118/7ए	00	07	01			
	118/7बी	00	09	06			
	118/7सी	00	14	60			
	118/6ई	00	00	10			
	118/7डी	00	02	77			
	118/7ई	00	08	42			
	118/7एफ	00	08	85			
तालुक : आरकोट		जिला : वेल््लोर		राज्य : तमिलनाडु			
1) नेल्लि (मेल)	359	00	06	07			
	356	00	09	23			
	357	00	02	65			
	355	00	29	72			
	354	00	31	97			
	348	00	05	59			
	349	00	51	1			
	350	00	02	35			

1	2	3	4	5
1) नेल्लि (मेल) (निरंतर)	338	00	57	15
	334	00	38	82
	325	00	09	26
	326	00	80	27
	329	00	03	34
	327	00	01	72
	328	00	12	01
	305	00	53	72
	304	00	10	31
	303	00	07	74
	302	00	28	76

तालुक :जिर्नी	जिला :विल्लुपुरम	राज्य :तमिलनाडु		
1) कोशमबाडी	64/1	00	03	78
	63/1ई2	00	81	06
	63/4	00	05	05
	63/1डी	00	04	95
	63/1सी	00	04	11
	132	00	21	16
	63/3	00	00	10
	56/2एफ	00	04	76
	56/2जी	00	10	33
	56/2डी	00	00	10
	57	00	20	43
	131/2	00	12	86
	131/1बी1	00	01	38
	131/1बी2	00	24	48
	131/5	00	13	42
	131/6	00	00	18
	131/4	00	07	48
	131/7	00	04	39
	131/14	00	07	07
	131/13	00	00	17
	131/15	00	01	75
	131/16	00	06	22
	131/17	00	04	74
	131/18	00	01	82
	131/19	00	00	14
	131/1डी	00	17	66
	130	00	03	67

तालुक :कल्लक्कुर्गिच्चि	जिला :विल्लुपुरम	राज्य :तमिलनाडु		
1) एरुवायपडुनम	15	00	00	69

1	2	3	4	5
1) एरूवायपट्टनम (निरंतर)	17	00	27	64
	16/5	00	00	46
	16/1	00	06	11
	16/2	00	07	02
	16/3	00	05	99
	16/4	00	02	97
	23/5	00	06	49
	23/4	00	11	03
	24/5ए	00	08	38
	24/6	00	16	48
	24/7	00	20	84
	24/2	00	01	66
	28/2	00	22	04
	28/1वी	00	00	25
	27/3	00	24	02
	75	00	08	12
	76/7	00	01	53
	76/6	00	09	52
	76/4	00	05	48
	76/5ए	00	10	48
	76/9	00	01	17
	76/5वी	00	01	02
	76/11	00	00	10
	76/10	00	08	09
	79/5	00	03	38
	76/13	00	03	62
	80/1	00	01	41
	79/6ए	00	12	11
	79/6डी	00	04	36
	79/6ई	00	04	21
	79/8	00	06	61
	81/3	00	06	10
	79/7	00	00	15
	81/4	00	04	63
	81/1	00	00	68
	81/5	00	21	27
	81/2	00	05	39
	81/9	00	06	42
	81/10	00	06	87

1	2	3	4	5
1) एरुवायपट्टनम (निरंतर)	81/8	00	01	20
	83/8	00	03	82
	83/9	00	01	95
	83/11	00	00	87
	83/7	00	15	87
	85/2	00	20	19
	85/1	00	00	12
	85/3	00	18	06
	86/3ए2	00	03	17
	68/1	00	00	68
	68/2	00	00	89
	86/3वी	00	03	54
	86/5	00	10	59
	86/4	00	05	11
	86/6	00	02	16
	87/3	00	04	93
	87/4	00	19	93
	87/5	00	11	79
	सर्वे न. 87 में रास्ता	00	02	41
	87/7	00	16	63
	87/6	00	05	70
	188	00	44	58
	187/1	00	09	02
	187/2ए	00	13	92
	187/2वी	00	04	08
	187/3	00	06	97
	185/8ए2	00	12	21
	186	00	24	59
	185/8वी	00	05	84
	195	00	41	79
	192/3	00	13	63
	192/2	00	04	79
	192/8	00	15	73
	192/9	00	09	97
	192/10	00	08	69
	192/11	00	22	19
	सर्वे न. 191 में रास्ता	00	08	48
	206/2वी	00	07	42
	206/2ए	00	05	48



1	2	3	4	5
1) एरुवायपट्टनम (निरंतर)	206/3	00	12	72
	215/1	00	59	53
	207/5ए	00	00	54
	207/5वी	00	02	54

तालुक शंकरापुरम	जिला शिल्लुपुरम	राज्य तमिलनाडु		
1) चेल्लक्कायकुप्पम	1/1	00	03	61
	1/2ए	00	13	97
	1/3	00	06	43
	1/4	00	07	49
	1/9	00	01	33
	2/2ए2	00	03	07
	2/2ए1	00	01	48
	2/1	00	18	40
	2/2ए4	00	00	10
	12	01	37	39
	14	00	01	07
	15/4	00	01	88
	15/3	00	01	56
	15/2	00	00	10
	15/1वी	00	03	82
	15/1सी	00	03	88
	15/6सी	00	03	80
	15/7ई	00	03	69
	15/10	00	03	15
	15/11ए	00	00	54
	15/11वी	00	01	20
	15/11डी	00	02	33
	15/12	00	02	35
	15/11सी	00	01	84
	20/1ए	00	01	04
	21/11सी	00	05	09
	21/12	00	03	04
	20/1वी	00	01	10
	20/1सी	00	01	28
	20/1डी	00	01	53
	20/1ई	00	03	60
	21/3वी	00	02	77
	21/3ए	00	06	07
	21/5ए	00	01	23
	21/5वी	00	01	69

1	2	3	4	5
1) देल्लक्कायकुप्पम (निरंतर)	24/1	00	02	13
	24/2	00	01	95
	24/8डी	00	02	07
	24/8ई	00	01	85
	24/3	00	04	80
	24/8जी	00	00	65
	24/8एच	00	01	45
	24/8आइ	00	01	50
	24/8जे	00	00	91
	24/9ए	00	03	17
	24/9बी	00	02	96
	24/9सी	00	03	12
	23/5बी	00	02	38
	23/5डी	00	05	83
	23/5ई	00	11	01
	23/5जी	00	09	72
2) चेट्टीयान्दल (वडा)	119/4	00	00	27
	119/5	00	02	74
	137/6ए1	00	00	14
	137/6ए2	00	09	30
	137/6बी	00	00	10
	137/7ए	00	03	05
	137/7बी	00	03	95
	138/2बी	00	05	50
	138/2ए	00	00	25
	138/2सी	00	04	16
	138/2डी	00	00	86
	138/3बी	00	08	80
	138/3ए	00	05	91
	138/1	00	00	52
	138/7	00	06	29
	138/5	00	01	29
	138/6	00	02	56
	138/8	00	06	86
	138/10ए	00	01	28
	138/10बी	00	01	55
	138/9	00	04	03
	138/4सी	00	05	97
	76/4सी	00	08	12

1	2	3	4	5
2) चेडीयान्दल (वडा) (निरंतर)	76/4डी	00	16	12
	76/4ई	00	20	07
3) मेलपट्टु	196	01	44	60
	सर्वे न. 196 में नाला	00	02	50
	195	00	37	87
	सर्वे न. 196 में नदी	00	03	31

[फा सं. एल. 14014/100/2010 जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 3rd December, 2010

S. O. 3005.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in TamilNadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V.Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

## Schedule

Taluk:Thiruvannamalai		District:Thiruvannamalai		State:Tamil Nadu	
Village	Survey No./Sub-Division No.	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Arumpakkam	68/1	00	35	28	
	67/3B	00	01	68	
	67/5A	00	17	05	
	67/4A1	00	05	54	
	67/4A2	00	00	14	
	67/4B	00	13	30	
	67/4C	00	00	55	
	67/E1	00	00	31	
	67/E2	00	14	89	
	67/6C	00	17	39	
	65/2	00	21	02	
	64/2B	00	00	55	
	64/2A	00	23	67	
	64/6	00	21	86	
	64/4	00	11	20	
	64/5	00	14	96	
2) Talaiyampallam	117/5B	00	01	38	
	118/4B	00	12	46	
	118/4A	00	04	57	
	118/3A	00	01	64	
	118/3B	00	25	76	
	118/5A	00	02	11	
	118/7A	00	07	01	
	118/7B	00	09	06	
	118/7C	00	14	60	
	118/6E	00	00	10	
	118/7D	00	02	77	
	118/7E	00	08	42	
	118/7F	00	08	85	

Taluk:Arcot		District:Vellore		State:Tamil Nadu	
1) Nelli (Mel)	359	00	06	07	
	356	00	09	23	
	357	00	02	65	
	355	00	29	72	
	354	00	31	97	
	348	00	05	59	
	349	00	51	71	
	350	00	02	35	

1	2	3	4	5
1) Nelli (Mel) (Contd)	338	00	57	15
	334	00	38	82
	325	00	09	26
	326	00	80	27
	329	00	03	34
	327	00	01	72
	328	00	12	01
	305	00	53	72
	304	00	10	31
	303	00	07	74
	302	00	28	76

Taluk:Gingee	District:Villupuram	State:Tamil Nadu		
1) Kodambadi	64/1	00	03	78
	63/1E2	00	81	06
	63/4	00	05	05
	63/1D	00	04	95
	63/1C	00	04	11
	132	00	21	16
	63/3	00	00	10
	56/2F	00	04	76
	56/2G	00	10	33
	56/2D	00	00	10
	57	00	20	43
	131/2	00	12	86
	131/1B1	00	01	38
	131/1B2	00	24	48
	131/5	00	13	42
	131/6	00	00	18
	131/4	00	07	48
	131/7	00	04	39
	131/14	00	07	07
	131/13	00	00	17
	131/15	00	01	75
	131/16	00	06	22
	131/17	00	04	74
	131/18	00	01	82
	131/19	00	00	14
	131/1D	00	17	66
	130	00	03	67

Taluk:Kallakkurichchi	District:Villupuram	State:Tamil Nadu		
1) Eruvaypattanam	15	00	00	69

1	2	3	4	5
1) Eruvaypattanam (Contd)	17	00	27	64
	16/5	00	00	46
	16/1	00	06	11
	16/2	00	07	02
	16/3	00	05	99
	16/4	00	02	97
	23/5	00	06	49
	23/4	00	11	03
	24/5A	00	08	38
	24/6	00	16	48
	24/7	00	20	84
	24/2	00	01	66
	28/2	00	22	04
	28/1B	00	00	25
	27/3	00	24	02
	75	00	08	12
	76/7	00	01	53
	76/6	00	09	52
	76/4	00	05	48
	76/5A	00	10	48
	76/9	00	01	17
	76/5B	00	01	02
	76/11	00	00	10
	76/10	00	08	09
	79/5	00	03	38
	76/13	00	03	62
	80/1	00	01	41
	79/6A	00	12	11
	79/6D	00	04	36
	79/6E	00	04	21
	79/8	00	06	61
	81/3	00	06	10
	79/7	00	00	15
	81/4	00	04	63
	81/1	00	00	68
	81/5	00	21	27
	81/2	00	05	39
	81/9	00	06	42
	81/10	00	06	87

1	2	3	4	5
1) Eruvaypattanam (Contd)	81/8	00	01	20
	83/8	00	03	82
	83/9	00	01	95
	83/11	00	00	87
	83/7	00	15	87
	85/2	00	20	19
	85/1	00	00	12
	85/3	00	18	06
	86/3A2	00	03	17
	68/1	00	00	68
	68/2	00	00	89
	86/3B	00	03	54
	86/5	00	10	59
	86/4	00	05	11
	86/6	00	02	16
	87/3	00	04	93
	87/4	00	19	93
	87/5	00	11	79
	Road in Survey No.87	00	02	41
	87/7	00	16	63
	87/6	00	05	70
	188	00	44	58
	187/1	00	09	02
	187/2A	00	13	92
	187/2B	00	04	08
	187/3	00	06	97
	185/8A2	00	12	21
	186	00	24	59
	185/8B	00	05	84
	195	00	41	79
	192/3	00	13	63
	192/2	00	04	79
	192/8	00	15	73
	192/9	00	09	97
	192/10	00	08	69
	192/11	00	22	19
	Road in Survey No.191	00	08	48
	206/2B	00	07	42
	206/2A	00	05	48

1	2	3	4	5
1) Eruvaypattanam (Contd)	206/3	00	12	72
	215/1	00	59	53
	207/5A	00	00	54
	207/5B	00	02	54

Taluk:Sankarapuram	District:Villupuram	State:Tamil Nadu		
1) Chellakkaykuppam	1/1	00	03	61
	1/2A	00	13	97
	1/3	00	06	43
	1/4	00	07	49
	1/9	00	01	33
	2/2A2	00	03	07
	2/2A1	00	01	48
	2/1	00	18	40
	2/2A4	00	00	10
	12	01	37	39
	14	00	01	07
	15/4	00	01	88
	15/3	00	01	56
	15/2	00	00	10
	15/1B	00	03	82
	15/1C	00	03	88
	15/6C	00	03	80
	15/7E	00	03	69
	15/10	00	03	15
	15/11A	00	00	54
	15/11B	00	01	20
	15/11D	00	02	33
	15/12	00	02	35
	15/11C	00	01	84
	20/1A	00	01	04
	21/11C	00	05	09
	21/12	00	03	04
	20/1B	00	01	10
	20/1C	00	01	28
	20/1D	00	01	53
	20/1E	00	03	60
	21/3B	00	02	77
	21/3A	00	06	07
	21/5A	00	01	23
	21/5B	00	01	69



1	2	3	4	5
1) Chellakkaykuppam (Contd)	24/1	00	02	13
	24/2	00	01	95
	24/8D	00	02	07
	24/8E	00	01	85
	24/3	00	04	80
	24/8G	00	00	65
	24/8H	00	01	45
	24/8I	00	01	50
	24/8J	00	00	91
	24/9A	00	03	17
	24/9B	00	02	96
	24/9C	00	03	12
	23/5B	00	02	38
	23/5D	00	05	83
	23/5E	00	11	01
	23/5G	00	09	72
2) Chettiyandal (Vada)	119/4	00	00	27
	119/5	00	02	74
	137/6A1	00	00	14
	137/6A2	00	09	30
	137/6B	00	00	10
	137/7A	00	03	05
	137/7B	00	03	95
	138/2B	00	05	50
	138/2A	00	00	25
	138/2C	00	04	16
	138/2D	00	00	86
	138/3B	00	08	80
	138/3A	00	05	91
	138/1	00	00	52
	138/7	00	06	29
	138/5	00	01	29
	138/6	00	02	56
	138/8	00	06	86
	138/10A	00	01	28
	138/10B	00	01	55
	138/9	00	04	03
	138/4C	00	05	97
	76/4C	00	08	12

1	2	3	4	5
2) Chettiyandal (Vada) (Contd)	76/4D	00	16	12
	76/4E	00	20	07
3) Melpattu	196	01	44	60
	Nala in Survey No.196	00	02	50
	195	00	37	87
	River in Survey No.196	00	03	31

[F. No. L-14014/100/2010-GP]  
SNEH P. MADAN, Under Secy.

नई दिल्ली, 3 दिसम्बर, 2010

का. आ. 3006.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एस. राजामनिक्कम, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 9डी/6डी, रामकृष्णपुरम, पील्लैयार कोवील के सामने, करूर - 639001, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तालुक 8अरूपुक्कोट्टय		जिला 8विरूधनगर		राज्य : तमिलनाडु	
गाँव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल			
		हेक्टेयर	एयर	सि एयर	
1	2	3	4	5	
1) चरलोट्टि	1	00	50	64	
	2	00	11	01	
	32/1	00	13	07	
	33/1	00	03	79	
	33/2	00	04	34	
	32/2	00	04	66	
	32/3	00	04	71	
	32/4	00	03	80	
	33/3	00	04	84	
	33/4	00	06	03	
	33/7ए	00	10	88	
	33/5	00	05	36	
	33/7बी	00	15	59	
	33/6	00	06	36	
	34/1बी2	00	15	53	
	34/1बी1	00	05	56	
	40/1बी	00	00	16	
	40/2	00	28	18	
	40/3बी	00	01	46	
	40/4	00	00	95	
	40/5बी	00	01	62	
	40/6बी	00	01	36	
	40/7बी	00	01	20	
	40/9बी	00	00	99	
	40/10	00	30	03	
	41/1बी1	00	19	54	
	41/1बी2	00	01	00	
	41/5सी1	00	00	99	
	41/5सी2	00	22	72	
	44/1सी	00	26	20	
	44/2सी	00	19	61	
	45/2सी1	00	09	78	
	45/2सी2	00	09	07	
	45/2सी3/ए	00	07	32	
	45/2सी3/बी	00	02	30	
	46/1सी1ए	00	05	94	
	46/1सी1बी	00	07	84	

1	2	3	4	5
1) वल्लोडि (निरंतर)	46/1सी2	00	12	83
	46/2सी	00	01	60
	47/3	00	02	80
	47/2सी	00	10	10
	47/4सी	00	07	55
	47/5सी	00	07	01
	47/6सी1	00	05	61
	47/6सी2	00	04	76
	47/6सी3	00	03	60
	64/1वी1	00	16	57
	63/1वी1	00	11	20
	63/1वी2	00	02	75
	62/1वी1	00	06	47
	62/1वी2	00	09	75
	61/4वी	00	09	12
	61/2वी	00	08	04
	61/3वी	00	06	06
	60/2ए	00	08	36
	51	00	05	05
	60/2वी	00	09	06
	59/1वी	00	16	25
	59/2वी	00	04	31
	59/3	00	05	89
	59/4वी	00	30	99
	56/1सी	00	21	68
	56/3वी1	00	53	75
	56/3वी2	00	00	60
	56/4	00	04	44
	256/4	00	01	74
	सर्वे न. 256/5 में रास्ता	00	05	70
	256/1ए	00	01	21
	256/1ई	00	13	41
	256/1वी	00	05	85
	256/1सी	00	05	31
	256/1डी	00	08	11
	256/1एच	00	00	13
	256/1आड	00	21	96
	256/1जे	00	04	50
	257/3ए	00	28	87
	257/3वी	00	03	98
	257/3सी	00	14	55
	263/4	00	15	39

1	2	3	4	5
1) वरलोष्टि (निरंतर)	264/1ए	00	03	96
	264/1बी	00	10	41
	264/3ए2	00	03	70
	264/3ए3	00	04	36
	264/2बी	00	14	51
	264/3सी	00	02	64
	265/2	00	06	20
	270/7	00	12	13
	269	00	26	13
	274	00	63	94
	275	00	38	50
	278/1	00	31	23
	278/2	00	15	07
	279/2ए	00	05	81
	278/3बी	00	00	10
	279/3	00	16	46
	279/4	00	09	45
	279/5	00	05	59
	298/4	00	00	94
	299/1ए	00	03	98
	299/2ए	00	07	91
	299/4	00	03	86
	299/3	00	03	34
	299/8ए	00	06	23
	299/9	00	05	26
	299/10	00	00	93
	299/11	00	18	21
	299/14	00	01	60
2) पलवानत्तम	57/1	00	14	32
	57/2	00	13	65
	57/6ए	00	14	81
	57/5	00	04	52
	57/6बी	00	10	61
	57/7बी	00	12	64
	सर्वे न. 56 में नाला	00	11	55
	59	00	52	49
	66/3ए	00	01	00
	66/2बी	00	40	23
	सर्वे न. 65 में नाला	00	18	39
	424/1ए	00	20	51
	सर्वे न. 400 में नाला	00	05	23
	399/1	00	33	65

1	2	3	4	5
2) पलवानल्लम (निरंतर)	399/2	00	00	10
	सर्वे न. 402 में नाला	00	09	29
	403/1ए	00	01	08
	403/1वी	00	16	14
	403/3वी	00	27	34
	388/1	00	23	56
	388/2	00	00	22
	सर्वे न. 389/1 में नाला	00	02	31
	सर्वे न. 388/3 में नाला	00	01	86
	389/2	00	01	83
	388/4ए	00	25	44
	388/4वी	00	17	75
	387/2	00	16	22
	387/4ए	00	00	46
	388/5ए	00	06	50
	388/5वी	00	19	91
	387/4वी	00	09	05
	सर्वे न. 386 में नाला	00	02	61
	सर्वे न. 385/1 में नाला	00	02	60
	385/2	00	24	84
	385/3	00	01	08
	385/4	00	29	47
	384	00	38	44
	सर्वे न. 364 में रास्ता	00	08	34
	361/4	00	40	25
	361/5	00	21	60
	361/6वी1	00	03	27
	361/6वी2	00	18	39
	360/2	00	27	00
	367/1ए	00	19	42
	367/1वी	00	19	39
	367/2	00	01	25
	सर्वे न. 368 में नाला	00	05	54
	317/1	00	03	42
	317/2	00	16	60
	317/3	00	00	18
	सर्वे न. 318 में नाला	00	07	90
	319/1	00	11	42
	319/4	00	04	78
	319/3	00	20	81
	322/5ए	00	07	93
	322/5वी	00	05	90

1	2	3	4	5
2) पलवानत्तम (निरंतर)	322/5डी	00	06	05
	320/1	00	03	54
	320/2बी	00	06	18
	320/2ए	00	21	89
	320/3	00	04	06
	320/4	00	03	86
	320/6ए	00	02	04
	320/5	00	03	77
	320/6बी	00	16	05
	310/2ए	00	09	46
	310/2बी	00	18	18
	310/3	00	11	74
	310/4	00	07	24
	311/1	00	52	59
	307/3	00	00	65
	307/5	00	02	22
	300/6	00	02	23
	311/3	00	34	55
	298/2	00	17	98
	298/3	00	17	70
	298/4	00	03	27
	293/1	00	16	56
	293/2	00	57	49
	291/2	00	02	47
	291/3	00	02	75
	291/4	00	02	86
	291/8	00	05	10
	291/9बी	00	02	75
3) कुट्टिप्पाराय	44/2	00	40	08
	44/6	00	48	74
	44/5	00	02	67
	48/1ए	00	13	59
	48/1बी	00	26	59
	48/2	00	18	35
	49	00	00	11
	51/4	00	10	00
	51/1	00	19	39
	51/3	00	02	03
	51/2	00	02	18
	55	00	21	73
	54/4	00	11	29
	54/5	00	37	88

1	2	3	4	5
3) कुट्टिप्पाराय (निरंतर)	60/1	00	43	34
	60/5	00	30	31
	58	00	14	30
	213/1	00	21	54
	213/4	00	08	46
	213/5	00	08	21
	213/6	00	15	06
	213/7	00	15	12
	214/4	00	15	70
	214/5ए	00	04	02
	214/5बी	00	02	94
	222	00	37	11
	214/8ए	00	00	88
	214/8बी	00	03	60
	215/4	00	06	12
	219/1	00	10	37
	219/2	00	10	46
	219/3	00	04	55
	सर्वे न. 220/1 में नाला	00	01	43
	220/4	00	20	50
	220/3	00	02	03
	220/6	00	01	23
	220/10	00	05	71
	220/11	00	06	29
	सर्वे न. 257 में नाला	00	04	67
	258	00	44	29
	255	00	07	47
	259	00	03	45
	260/3	00	00	26
	260/2	00	10	43
	260/4	00	09	89
	260/8	00	27	86
	सर्वे न. 261 में नाला	00	04	99
	285/4	00	07	49
	285/3	00	08	69
	285/5	00	08	73
	285/8	00	00	62
	285/9	00	00	58
	285/10	00	10	88
	सर्वे न. 284/2 में रास्ता	00	07	70
	सर्वे न. 284/7ए में रास्ता	00	00	34
	284/7सी	00	02	20



1	2	3	4	5
3) कुट्टिप्पाराय (निरंतर)	224	00	05	26
	285/12	00	05	21
	330/1	00	17	09
	330/2	00	05	76
	330/5	00	16	07
	331/6	00	45	02
	331/5	00	00	10
	354/1	00	01	21
	354/2	00	13	63
	323	00	22	82
	355/1	00	11	21
	355/2	00	12	19
	355/3वी	00	10	25
	356/2ए	00	14	23
	356/2बी	00	09	31
	357/1	00	19	41
	357/2	00	19	19
	358/1	00	17	44
	358/2	00	21	70
	358/3	00	23	13
	358/4	00	19	57
	सर्वे न. 359 में नाला	00	09	90
	416/1	00	57	14
	415/1	00	23	11
	415/3	00	10	43
	414/1	00	39	98
	412/3	00	06	84
	413/2	00	41	38
	413/1	00	07	02
	436/6	00	39	23
	437/1	00	20	73
	437/2	00	20	33
	442/1	00	11	01
	442/2बी	00	09	09
	442/2सी	00	09	97
	441/1	00	07	59
	441/2	00	06	93
	441/3	00	03	92
	441/4	00	06	44
	441/5	00	19	68

तालुक : कारियपट्टि

जिला : विरूधनगर

राज्य : तमिलनाडु

1) अलगियनल्लुर

54/3

00

00

34

55/7

00

09

30

1	2	3	4	5
1) अलगियनल्लुर (निरंतर)	55/12ए	00	13	67
	55/12बी	00	13	10
	56/1	00	08	59
	56/4ए	00	01	93
	56/5ए	00	05	97
	56/2	00	13	14
	56/9	00	07	43
	57/6ए	00	05	18
	57/7ए	00	17	26
	57/8ए	00	02	76
	57/7बी	00	00	77
	57/8	00	01	71
	58/2	00	03	64
	सर्वे न. 203 में रास्ता	00	49	71
	195/2	00	12	32
	195/3	00	23	15
	196/1	00	00	97
	196/4	00	13	68
	195/5	00	33	27
	195/6	00	26	88
	194/2	00	01	72
	सर्वे न. 204 में रास्ता	00	04	83
	213/3ए	00	07	73
	213/3बी	00	00	43
	213/3एफ	00	15	87
	212/1	00	13	16
	212/2	00	07	28
	212/5	00	08	61
	212/6ए	00	19	02
	212/6बी	00	00	49
	212/8	00	15	52
	212/9	00	03	63
	212/11ए	00	01	81
	212/11बी	00	00	25
	212/14	00	12	83
	212/13	00	02	33
	211/5	00	07	58
	205/5	00	06	80
	205/6	00	03	56
	205/7	00	02	56
	205/10ए	00	00	54
	211/7	00	02	13

1	2	3	4	5
1) अलगियनल्लुर (निरंतर)	211/8ए	00	03	22
	211/8बी	00	03	01
	205/11ए	00	09	55
	205/11बी	00	02	74
	205/11सी	00	00	86
	210/1	00	05	56
	210/2ए	00	02	79
	210/2सी	00	22	73
	210/3	00	00	54
	210/5ए	00	06	21
	210/4बी	00	00	10
	210/5बी	00	13	43
	210/7ए	00	11	08
	208/1ए1	00	00	10
	208/1ए3	00	19	85
	208/1ए4	00	10	20
	208/2ए	00	08	02
	208/1बी	00	01	30
2) वलुक्कलोडि	2/7	00	00	57
	1/9	00	02	36
	1/10	00	11	04
	2/10	00	23	41
	1/11	00	01	32
	सर्वे न. 136 में रास्ता	00	07	91
	सर्वे न. 138 में रास्ता	00	06	25
	134/1	00	21	11
	134/2ए1	00	15	28
	134/2बी	00	23	02
	133/3	00	04	63
	133/4	00	05	03
	133/5	00	04	81
	133/6	00	10	81
	133/7	00	01	14
	143	00	00	23
	सर्वे न. 132/1 में नाला	00	03	39
	132/3	00	03	26
	132/2	00	06	59
	132/4	00	01	59
	132/8	00	23	47
	132/9	00	00	31
	132/5	00	01	32
	132/10	00	03	17

1	2	3	4	5
2) वलुक्कलोडि (निरंतर)	132/11	00	09	90
	131/1	00	00	70
	145	00	00	10
	131/3	00	07	92
	131/6	00	16	39
	128/3	00	16	83
	128/6ए	00	05	29
	128/4	00	16	74
	126/1	00	04	85
	126/7	00	21	87
	126/8	00	00	88
	126/6	00	00	15
	126/10	00	29	33
	127/3ए1	00	00	29
	127/3ए2	00	16	77
	सर्वे न. 127/7 में नाला	00	06	23
	116/4	00	07	71
	115	00	74	52
	91/5	00	00	10
	114/1	00	02	45
	114/5ए	00	04	09
	114/6	00	25	93
	92/4	00	02	87
	94/1	00	31	27
	94/2	00	00	10
	93/1ए	00	09	70
	95/1ए	00	03	25
	93/1बी	00	00	10
	95/1बी	00	10	11
	95/1सी	00	11	03
	93/3	00	08	11
	95/3	00	24	03

तालुक : विरूधनगर	जिला : विरूधनगर	राज्य : तमिलनाडु		
1) पेरिय पेरलि	716	00	26	10
	717	00	05	82
	719	00	04	03
	721/4	00	00	26
	725/1	00	40	16
	724	00	00	81
	726/1	00	30	37
	737/2	00	01	09
	737/3	00	14	36
	737/4	00	15	92

1	2	3	4	5
1) पेरिय पेरलि (निरंतर)	737/5	00	03	79
	728/3	00	00	55
	728/4	00	13	10
	43/1	00	15	19
	43/2	00	02	96
	44	00	31	01
	53	00	13	03
	54/1	00	03	49
	61/1	00	12	53
	61/2	00	13	51
	63/1	00	10	42
	62/1	00	03	77
	62/2	00	06	66
	63/2	00	02	64
	63/3	00	12	95
	63/4	00	13	33
	63/5ए	00	05	82
	63/5वी	00	09	24
	63/6	00	00	10
	63/7	00	13	40
	200/1	00	22	97
	200/2	00	12	61
	200/3ए	00	19	78
	200/3वी	00	00	95
	199/1	00	02	31
	199/2	00	31	71
	197/3	00	00	73
	198/5	00	02	18
	197/4	00	10	98
	197/5	00	12	45
	196/2	00	02	74
	196/3	00	14	04
	183/1ए	00	17	70
	183/2	00	08	08
	183/3ए	00	12	91
	183/3वी	00	04	83
	184/1	00	02	71
	184/2ए	00	18	48
	184/2वी	00	14	29
	185/2एफ	00	00	45
	185/3	00	12	54
	185/4	00	10	40

1	2	3	4	5
1) पेरिय पेरलि (निरंतर)	सर्वे न. 162 में नाला	00	04	84
	114/4	00	14	39
	114/3	00	13	33
	114/2	00	06	35
	114/1	00	00	46
	113	00	84	63
	123/1	00	01	89
	123/2	00	14	26
	124/1	00	08	11
	124/2	00	19	73
	124/3	00	16	39
	124/4	00	03	63
	124/5	00	00	95
	125	00	26	84
	126/2	00	17	73
	127/2	00	05	70
2) कडम्बनकुलम	39/2	00	05	65
	39/3	00	17	62
	39/4	00	26	55
	39/6	00	19	80
	40/3	00	04	40
	40/4	00	00	92
	40/5	00	55	97
	40/6	00	00	41
	सर्वे न. 41/1 में नाला	00	03	11
	48	00	01	34
	41/2ए	00	25	84
	41/2बी	00	05	46
	41/4	00	02	41
	41/5	00	04	27
	41/6	00	12	79
	41/7	00	11	08
	42/1	00	36	64
	42/2	00	02	42
	42/3	00	29	49
	सर्वे न. 42/4 में नाला	00	05	03
	166/4	00	00	41
	166/3	00	28	29
	166/2	00	26	59
	सर्वे न. 164/1 में नाला	00	02	71
	164/3	00	01	44
	164/2	00	77	48

1	2	3	4	5
2) कडम्बनकुलम (निरंतर)	सर्वे न. 161 में नाला	00	10	92
	160/1वी	00	13	24
	179/1	00	08	18
	179/2	00	07	34
	160/6	00	03	10
	160/7	00	19	82
	179/3वी	00	01	62
	179/5	00	22	30
	179/6	00	26	74
	158	00	01	29
	सर्वे न. 318/1 में नाला	00	03	01
	318/7ए	00	41	48
	318/7वी	00	02	09
	सर्वे न. 318/8 में नाला	00	01	33
	318/9ए	00	01	75
	318/9वी	00	10	01
	319/5	00	08	31
	319/6	00	06	75
	319/7	00	07	19
	319/8	00	06	21
	319/12	00	03	55
	319/13	00	14	46
	319/14	00	07	33
	323/1	00	09	53
	323/3	00	07	86
	323/4	00	04	06
	323/6	00	02	91
	323/8ए	00	06	68
	323/8वी	00	01	23
	323/7वी	00	01	87
	323/9	00	07	19
	323/10ए	00	01	06
	323/10वी	00	07	42
	सर्वे न. 324/1 में नाला	00	03	30
	324/3	00	36	95
	381	00	00	78
	380	00	12	76
	325	00	02	80
	सर्वे न. 379 में नाला	00	05	23
	363/4	00	07	93
	364/1	00	27	71
	364/3	00	22	70

1	2	3	4	5
2) कडम्बनकुलम (निरंतर)	364/4	00	00	10
	364/5	00	39	77
	सर्वे न. 367 में नाला	00	04	76
	336/1	00	24	99
	336/3ए	00	01	13
	336/3बी	00	19	29
	336/3सी	00	25	97
	336/4ए	00	00	80
	सर्वे न. 359 में नाला	00	08	74
	335/1	00	23	43
	335/4	00	13	70
	335/5	00	01	70
	335/2	00	05	67
	335/3	00	18	22
3) मन्नरकोट्टय	258/2	00	03	59
	258/1	00	09	66
	258/4	00	10	57
	258/5	00	08	26
	258/7	00	13	88
	259/1	00	12	68
	259/5	00	18	16
	सर्वे न. 259/6 में नाला	00	09	05
	257/6	00	00	14
	257/7	00	00	62
	260	01	09	11
	262/1	00	04	00
	262/2	00	61	54
	262/3	00	00	40
	247/8	00	20	48
	246	00	11	97
	सर्वे न. 264/1 में नाला	00	01	86
	264/2	00	22	83
	264/5	00	40	95
	264/6	00	02	16
4) कोट्टियुर	110	00	07	10
	109/3	00	20	64
	109/4	00	37	81
	113/4	00	14	83
	113/5	00	14	07
	113/6	00	17	81
	सर्वे न. 113/7 में नाला	00	02	81
	115/1ए	00	19	83



1	2	3	4	5
4) कोट्टियूर (निरंतर)	115/1वी	00	00	59
	114/3वी	00	27	58
	115/4ए	00	00	31
	114/5	00	06	52
	115/8	00	00	39
	119/2	00	11	26
	119/3ए	00	08	85
	119/3वी	00	04	25
	119/4सी	00	19	62
	119/4डी	00	02	25
	120/4	00	06	24
	120/5ए	00	41	55
	120/5वी	00	05	35
	92/2वी	00	05	33
	92/2डी	00	17	41
	92/2सी	00	16	72
	92/3ए	00	01	60
	92/5	00	10	30
	92/6	00	02	61
	92/4	00	02	57
	91/2	00	54	43
5) पुदुपट्टि	195	00	02	56
	सर्वे न. 194 में नाला	00	59	04
	सर्वे न. 209 में नाला	00	88	35
	211	00	55	37
	226/3	00	31	43
	226/4	00	00	10
	226/10	00	00	13
	226/11	00	01	18
	226/9	00	03	52
	226/12	00	08	34
	सर्वे न. 228 में रास्ता	00	69	44
	232	00	67	95
6) सुन्दरालिनापुरम	16/1	00	22	62
	16/4	00	06	07
	16/5	00	34	42
	17/5ए	00	12	44
	17/5सी	00	10	01
	17/5वी	00	05	84
	26/7	00	12	98
	26/6	00	12	47
	26/8	00	02	66

1	2	3	4	5
6) सुन्दरालिन्नापुरम (निरंतर)	25/1	00	42	09
	सर्वे न. 24 में नाला	00	19	75
	21/1	00	00	83
	21/2	00	07	61
	21/3	00	06	81
	21/4	00	01	33
	21/5	00	22	12
	21/6	00	11	17
	21/7	00	01	90

[फा सं. एल.-14014/96/2010 जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 3rd December, 2010

S. O. 3006.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamil Nadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri S.Rajamanickam, Competent Authority, Relogistics Infrastructure Limited, No. 9D/6D Ramakrishnapuram, Opp.Pillayar Kovil, Karur – 639 001, Tamil Nadu State.

**Schedule**

Taluk:Aruppukkottai		District:Virudhunagar		State:Tamil Nadu	
Village	Survey No./Sub-Division	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Varalotti	1	00	50	64	
	2	00	11	01	
	32/1	00	13	07	
	33/1	00	03	79	
	33/2	00	04	34	
	32/2	00	04	66	
	32/3	00	04	71	
	32/4	00	03	80	
	33/3	00	04	84	
	33/4	00	06	03	
	33/7A	00	10	88	
	33/5	00	05	36	
	33/7B	00	15	59	
	33/6	00	06	36	
	34/1B2	00	15	53	
	34/1B1	00	05	56	
	40/1B	00	00	16	
	40/2	00	28	18	
	40/3B	00	01	46	
	40/4	00	00	95	
	40/5B	00	01	62	
	40/6B	00	01	36	
	40/7B	00	01	20	
	40/9B	00	00	99	
	40/10	00	30	03	
	41/1B1	00	19	54	
	41/1B2	00	01	00	
	41/5C1	00	00	99	
	41/5C2	00	22	72	
	44/1C	00	26	20	
	44/2C	00	19	61	
	45/2C1	00	09	78	
	45/2C2	00	09	07	
	45/2C3/A	00	07	32	
	45/2C3/B	00	02	30	
	46/1C1A	00	05	94	
	46/1C1B	00	07	84	

1	2	3	4	5
1) Varalotti (Contd)	46/1C2	00	12	83
	46/2C	00	01	60
	47/3	00	02	80
	47/2C	00	10	10
	47/4C	00	07	55
	47/5C	00	07	01
	47/6C1	00	05	61
	47/6C2	00	04	76
	47/6C3	00	03	60
	64/1B1	00	16	57
	63/1B1	00	11	20
	63/1B2	00	02	75
	62/1B1	00	06	47
	62/1B2	00	09	75
	61/4B	00	09	12
	61/2B	00	08	04
	61/3B	00	06	06
	60/2A	00	08	36
	51	00	05	05
	60/2B	00	09	06
	59/1B	00	16	25
	59/2B	00	04	31
	59/3	00	05	89
	59/4B	00	30	99
	56/1C	00	21	68
	56/3B1	00	53	75
	56/3B2	00	00	60
	56/4	00	04	44
	256/4	00	01	74
	Road in Survey No. 256/5	00	05	70
	256/1A	00	01	21
	256/1E	00	13	41
	256/1B	00	05	85
	256/1C	00	05	31
	256/1D	00	08	11
	256/1H	00	00	13
	256/1I	00	21	96
	256/1J	00	04	50
	257/3A	00	28	87
	257/3B	00	03	98
	257/3C	00	14	55
	263/4	00	15	39

1	2	3	4	5
1) Varalotti (Contd)	264/1A	00	03	96
	264/1B	00	10	41
	264/3A2	00	03	70
	264/3A3	00	04	36
	264/2B	00	14	51
	264/3C	00	02	64
	265/2	00	06	20
	270/7	00	12	13
	269	00	26	13
	274	00	63	94
	275	00	38	50
	278/1	00	31	23
	278/2	00	15	07
	279/2A	00	05	81
	278/3B	00	00	10
	279/3	00	16	46
	279/4	00	09	45
	279/5	00	05	59
	298/4	00	00	94
	299/1A	00	03	98
	299/2A	00	07	91
	299/4	00	03	86
	299/3	00	03	34
	299/8A	00	06	23
	299/9	00	05	26
	299/10	00	00	93
	299/11	00	18	21
	299/14	00	01	60
2) Palavanattam	57/1	00	14	32
	57/2	00	13	65
	57/6A	00	14	81
	57/5	00	04	52
	57/6B	00	10	61
	57/7B	00	12	64
	Nala in Survey No. 56	00	11	55
	59	00	52	49
	66/3A	00	01	00
	66/2B	00	40	23
	Naia in Survey No. 65	00	18	39
	424/1A	00	20	51
	Nala in Survey No. 400	00	05	23
	399/1	00	33	65

1	2	3	4	5
2) Palavanattam (Contd)	399/2	00	00	10
	Nala in Survey No. 402	00	09	29
	403/1A	00	01	08
	403/1B	00	16	14
	403/3B	00	27	34
	388/1	00	23	56
	388/2	00	00	22
	Nala in Survey No. 389/1	00	02	31
	Nala in Survey No. 388/3	00	01	86
	389/2	00	01	83
	388/4A	00	25	44
	388/4B	00	17	75
	387/2	00	16	22
	387/4A	00	00	46
	388/5A	00	06	50
	388/5B	00	10	91
	387/4B	00	09	05
	Nala in Survey No. 386	00	02	61
	Nala in Survey No. 385/1	00	02	60
	385/2	00	24	84
	385/3	00	01	08
	385/4	00	29	47
	384	00	38	44
	Road in Survey No. 364	00	08	34
	361/4	00	40	25
	361/5	00	21	60
	361/6B1	00	03	27
	361/6B2	00	18	39
	360/2	00	27	00
	367/1A	00	19	42
	367/1B	00	19	39
	367/2	00	01	25
	Nala in Survey No. 368	00	05	54
	317/1	00	03	42
	317/2	00	16	60
	317/3	00	00	18
	Nala in Survey No. 318	00	07	90
	319/1	00	11	42
	319/4	00	04	78
	319/3	00	20	81
	322/5A	00	07	93
	322/5B	00	05	90

1	2	3	4	5
2) Palavanattam (Contd)	322/5D	00	06	05
	320/1	00	03	54
	320/2B	00	06	18
	320/2A	00	21	89
	320/3	00	04	06
	320/4	00	03	86
	320/6A	00	02	04
	320/5	00	03	77
	320/6B	00	16	05
	310/2A	00	09	46
	310/2B	00	18	18
	310/3	00	11	74
	310/4	00	07	24
	311/1	00	52	59
	307/3	00	00	65
	307/5	00	02	22
	300/6	00	02	23
	311/3	00	34	55
	298/2	00	17	98
	298/3	00	17	70
	298/4	00	03	27
	293/1	00	16	56
	293/2	00	57	49
	291/2	00	02	47
	291/3	00	02	74
	291/4	00	02	86
	291/8	00	05	10
	291/9B	00	02	75
3) Kuttipparai	44/2	00	40	08
	44/6	00	48	74
	44/5	00	02	67
	48/1A	00	13	59
	48/1B	00	26	59
	48/2	00	18	35
	49	00	00	11
	51/4	00	10	00
	51/1	00	19	39
	51/3	00	02	03
	51/2	00	02	18
	55	00	21	73
	54/4	00	12	29
	54/5	00	37	88

1	2	3	4	5
3) Kuttipparai (Contd)	60/1	00	43	34
	60/5	00	30	31
	58	00	14	30
	213/1	00	21	54
	213/4	00	08	46
	213/5	00	08	21
	213/6	00	15	06
	213/7	00	15	12
	214/4	00	15	70
	214/5A	00	04	02
	214/5B	00	02	94
	222	00	37	11
	214/8A	00	00	88
	214/8B	00	03	60
	215/4	00	06	12
	219/1	00	10	37
	219/2	00	10	46
	219/3	00	04	55
	Nala in Survey No. 220/1	00	01	43
	220/4	00	20	50
	220/3	00	02	03
	220/6	00	01	23
	220/10	00	05	71
	220/11	00	06	29
	Nala in Survey No. 257	00	04	67
	258	00	44	29
	255	00	07	47
	259	00	03	45
	260/3	00	00	26
	260/2	00	10	43
	260/4	00	09	89
	260/8	00	27	86
	Nala in Survey No. 261	00	04	99
	285/4	00	07	49
	285/3	00	08	69
	285/5	00	08	73
	285/8	00	00	62
	285/9	00	00	58
	285/10	00	10	88
	Road in Survey No. 284/2	00	07	70
	Road in Survey No. 284/7A	00	00	34
	284/7C	00	02	20



1	2	3	4	5
3) Kuttipparai (Contd)	224	00	05	26
	285/12	00	05	21
	330/1	00	17	09
	330/2	00	05	76
	330/5	00	16	07
	331/6	00	45	02
	331/5	00	00	10
	354/1	00	01	21
	354/2	00	13	63
	323	00	22	82
	355/1	00	11	21
	355/2	00	12	19
	355/3B	00	10	25
	356/2A	00	14	23
	356/2B	00	09	31
	357/1	00	19	41
	357/2	00	19	19
	358/1	00	17	44
	358/2	00	21	70
	358/3	00	23	13
	358/4	00	19	57
	Nala in Survey No. 359	00	09	90
	416/1	00	57	14
	415/1	00	23	11
	415/3	00	10	43
	414/1	00	39	98
	412/3	00	06	84
	413/2	00	41	38
	413/1	00	07	02
	436/6	00	39	23
	437/1	00	20	73
	437/2	00	20	33
	442/1	00	11	01
	442/2B	00	09	09
	442/2C	00	09	97
	441/1	00	07	59
	441/2	00	06	93
	441/3	00	03	92
	441/4	00	06	44
	441/5	00	19	68
<b>Taluk:Kariapatti District:Virudhunagar State:Tamil Nadu</b>				
1) Alagiyanallur	54/3	00	00	34
	55/7	00	09	30

1	2	3	4	5
1) Alagiyanallur (Contd)	55/12a	00	13	67
	55/12b	00	13	10
	56/1	00	08	59
	56/4a	00	01	93
	56/5a	00	05	97
	56/2	00	13	14
	56/9	00	07	43
	57/6A	00	05	18
	57/7A	00	17	26
	57/8A	00	02	76
	57/7B	00	00	77
	57/8B	00	01	71
	58/2	00	03	64
	Road in Survey No. 203	00	49	71
	195/2	00	12	32
	195/3	00	23	15
	196/1	00	00	97
	196/4	00	13	68
	195/5	00	33	27
	195/6	00	26	88
	194/2	00	01	72
	Road in Survey No. 204	00	04	83
	213/3A	00	07	73
	213/3B	00	00	43
	213/3F	00	15	87
	212/1	00	13	16
	212/2	00	07	28
	212/5	00	08	61
	212/6A	00	19	02
	212/6B	00	00	49
	212/8	00	15	52
	212/9	00	03	63
	212/11A	00	01	81
	212/11B	00	00	25
	212/14	00	12	83
	212/13	00	02	33
	211/5	00	07	58
	205/5	00	06	80
	205/6	00	03	56
	205/7	00	02	56
	205/10A	00	00	54
	211/7	00	02	13



1	2	3	4	5
2) Valukkalotti (Contd)	132/11	00	09	90
	131/1	00	00	70
	145	00	00	10
	131/3	00	07	92
	131/6	00	16	39
	128/3	00	16	83
	128/6A	00	05	29
	128/4	00	16	74
	126/1	00	04	85
	126/7	00	21	87
	126/8	00	00	88
	126/6	00	00	15
	126/10	00	29	33
	127/3A1	00	00	29
	127/3A2	00	16	77
	Nala in Survey No. 127/7	00	06	23
	116/4	00	07	71
	115	00	74	52
	91/5	00	00	10
	114/1	00	02	45
	114/5A	00	04	09
	114/6	00	25	93
	92/4	00	02	87
	94/1	00	31	27
	94/2	00	00	10
	93/1A	00	09	70
	95/1A	00	03	25
	93/1B	00	00	10
	95/1B	00	10	11
	95/1C	00	11	03
	93/3	00	08	11
	95/3	00	24	03

Taluk:Virudhunagar	District:Virudhunagar	State:Tamil Nadu		
1) Periya Perali	716	00	26	10
	717	00	05	82
	719	00	04	03
	721/4	00	00	26
	725/1	00	40	16
	724	00	00	81
	726/1	00	30	37
	737/2	00	01	09
	737/3	00	14	36
	737/4	00	15	92

1	2	3	4	5
1) Periya Perali (Contd)	737/5	00	03	79
	728/3	00	00	55
	728/4	00	13	10
	43/1	00	15	19
	43/2	00	02	96
	44	00	31	01
	53	00	13	03
	54/1	00	03	49
	61/1	00	12	53
	61/2	00	13	51
	63/1	00	10	42
	62/1	00	03	77
	62/2	00	06	66
	63/2	00	02	64
	63/3	00	12	95
	63/4	00	13	33
	63/5A	00	05	82
	63/5B	00	09	24
	63/6	00	00	10
	63/7	00	13	40
	200/1	00	22	97
	200/2	00	12	61
	200/3A	00	19	78
	200/3B	00	00	95
	199/1	00	02	31
	199/2	00	31	71
	197/3	00	00	73
	198/5	00	02	18
	197/4	00	10	98
	197/5	00	12	45
	196/2	00	02	74
	196/3	00	14	04
	183/1A	00	17	70
	183/2	00	08	08
	183/3A	00	12	91
	183/3B	00	04	83
	184/1	00	02	71
	184/2A	00	18	48
	184/2B	00	14	29
	185/2F	00	00	45
	185/3	00	12	54
	185/4	00	10	40

1	2	3	4	5
1) Periya Perali (Contd)	Nala in Survey No. 162	00	04	84
	114/4	00	14	39
	114/3	00	13	33
	114/2	00	06	35
	114/1	00	00	46
	113	00	84	63
	123/1	00	01	89
	123/2	00	14	26
	124/1	00	08	11
	124/2	00	19	73
	124/3	00	16	39
	124/4	00	03	63
	124/5	00	00	95
	125	00	26	84
	126/2	00	17	73
	127/2	00	05	70
2) Kadambankulam	39/2	00	05	65
	39/3	00	17	62
	39/4	00	26	55
	39/6	00	19	80
	40/3	00	04	40
	40/4	00	00	92
	40/5	00	55	97
	40/6	00	00	41
	Nala in Survey No. 41/1	00	03	11
	48	00	01	34
	41/2A	00	25	84
	41/2B	00	05	46
	41/4	00	02	41
	41/5	00	04	27
	41/6	00	12	79
	41/7	00	11	08
	42/1	00	36	64
	42/2	00	02	42
	42/3	00	29	49
	Nala in Survey No. 42/4	00	05	03
	166/4	00	00	41
	166/3	00	28	29
	166/2	00	26	59
	Nala in Survey No. 164/1	00	02	71
	164/3	00	01	44
	164/2	00	77	48

1	2	3	4	5
2) Kadambankulam (Contd)	Nala in Survey No. 161	00	10	92
	160/1B	00	13	24
	179/1	00	08	18
	179/2	00	07	34
	160/6	00	03	10
	160/7	00	19	82
	179/3B	00	01	62
	179/5	00	22	30
	179/6	00	26	74
	158	00	01	29
	Nala in survey No . 318/1	00	03	01
	318/7A	00	41	48
	318/7B	00	02	09
	Nala in Survey No . 318/8	00	01	33
	318/9A	00	01	75
	318/9B	00	10	01
	319/5	00	08	31
	319/6	00	06	75
	319/7	00	07	19
	319/8	00	06	21
	319/12	00	03	55
	319/13	00	14	46
	319/14	00	07	33
	323/1	00	09	53
	323/3	00	07	63
	323/4	00	04	06
	323/6	00	02	91
	323/8A	00	06	68
	323/8B	00	01	23
	323/7B	00	01	87
	323/9	00	07	19
	323/10A	00	01	06
	323/10B	00	07	42
	Nala in Survey No. 324/1	00	03	30
	324/3	00	36	95
	381	00	00	78
	380	00	12	76
	325	00	02	80
	Nala in Survey No. 379	00	05	23
	363/4	00	07	93
	364/1	00	27	71
	364/3	00	22	70

1	2	3	4	5
2) Kadambankulam (Contd)	364/4	00	00	10
	364/5	00	39	77
	Nala in Survey No. 367	00	04	76
	336/1	00	24	99
	336/3A	00	01	13
	336/3B	00	19	29
	336/3C	00	25	97
	336/4A	00	00	80
	Nala in Survey No. 359	00	03	74
	335/1	00	23	43
	335/4	00	13	70
	335/5	00	01	70
	335/2	00	05	67
	335/3	00	18	22
3) Mannarkottai	258/2	00	03	59
	258/1	00	09	66
	258/4	00	10	57
	258/5	00	08	26
	258/7	00	13	88
	259/1	00	12	68
	259/5	00	18	16
	Nala in Survey No. 259/6	00	09	05
	257/6	00	00	14
	257/7	00	00	62
	260	01	09	11
	262/1	00	04	00
	262/2	00	61	54
	262/3	00	00	40
	247/8	00	20	48
	246	00	11	97
	Nala in Survey No. 264/1	00	01	86
	264/2	00	22	83
	264/5	00	40	95
	264/6	00	02	16
4) Kottaiyur	110	00	07	10
	109/3	00	20	64
	109/4	00	37	81
	113/4	00	14	83
	113/5	00	14	07
	113/6	00	17	81
	Nala in Survey No. 113/7	00	02	81
	115/1A	00	19	83



1	2	3	4	5
4) Kottaiyur (Contd)	115/1B	00	00	59
	114/3B	00	27	58
	115/4A	00	00	31
	114/5	00	06	52
	115/8	00	00	39
	119/2	00	11	26
	119/3A	00	08	85
	119/3B	00	04	25
	119/4C	00	19	62
	119/4D	00	02	25
	120/4	00	06	24
	120/5A	00	41	55
	120/5B	00	05	35
	92/2B	00	05	33
	92/2D	00	17	41
	92/2C	00	16	72
	92/3A	00	01	60
	92/5	00	10	30
	92/6	00	02	61
	92/4	00	02	57
	91/2	00	54	43
5) Puduppatti	195	00	02	56
	Nala in Survey No. 194	00	59	04
	Nala in Survey No. 209	00	88	35
	211	00	55	37
	226/3	00	31	43
	226/4	00	00	10
	226/10	00	00	13
	226/11	00	01	18
	226/9	00	03	52
	226/12	00	08	34
	Road in Survey No. 228	00	69	44
	232	00	67	95
6) Sundaralingapuram	16/1	00	22	62
	16/4	00	06	07
	16/5	00	34	42
	17/5A	00	12	44
	17/5C	00	10	01
	17/5B	00	05	84
	26/7	00	12	98
	26/6	00	12	47
	26/8	00	02	66

1	2	3	4	5
6) Sundaralingapuram (Contd)	25/1	00	42	09
	Nala in Survey No. 24	00	19	75
	21/1	00	00	83
	21/2	00	07	61
	21/3	00	06	81
	21/4	00	01	33
	21/5	00	22	12
	21/6	00	11	17
	21/7	00	01	90

[F. No. L-14014/96/2010-GP]  
SNEH P. MADAN Under Secy

नई दिल्ली, 3 दिसम्बर, 2010

का. आ. 3007.— भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुत्तानी के पास विजयवाड़ा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मेसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एस० राजामनिक्कम, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 9डी/6डी, रामट्टी, सुन्दरालिंगपुरम, पील्लैयार कोवील के सामने, करूर - 639001, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तालुक : डिंडिगल	जिला : डिंडिगल	राज्य : तमिलनाडु		
गँव का नाम	सर्वे सं./ सब डिविजन सं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) सेट्टिनायक्कनपट्टि	32	00	57	92
	38	00	00	14
	32/4वी	00	01	23
	37/4	00	18	04
	37/3	00	03	04
	37/5	00	03	45
	37/6	00	27	11
	37/2	00	01	99
	37/7	00	18	25
	37/11	00	10	14
	37/12	00	08	51
	37/10	00	02	07
	41/2ए	00	00	75
	41/1वी	00	19	30
	41/1ए	00	22	62
	42/1	00	00	94
	42/2	00	07	37
	43	00	10	93
	44/1वी	00	00	42
	44/1ए2	00	20	12
	44/2ए	00	09	88
	44/2सी	00	08	82
	44/2डी	00	01	68
	44/3ए	00	05	92
	44/1ए1	00	33	51
	44/3सी1	00	36	26
	44/3सी2	00	04	66
	69	00	36	25
	सर्वे न. 70 में नाला	00	11	70
	71	00	40	39
	72	00	09	89
	73	00	08	21
	74/2	00	00	61
	74/1ए	00	38	07
	74/1वी	00	02	67
	75/2	00	13	56
	76/1सी	00	28	42

1	2	3	4	5
1) सेट्टिनायक्कनपटि (निरंतर)	76/1वी	00	02	03
	सर्वे न. 77 में रास्ता	00	09	95
	78	00	15	36
	329/1ए	00	05	98
	329/1वी	00	05	62
	329/2	00	03	40
	329/3वी	00	04	65
	333	00	28	08
	330/1	00	07	71
	330/2	00	09	99
	330/3	00	11	05
	330/5	00	10	71
	332/21	00	00	10
	332/22	00	08	34
	332/19	00	00	55
	सर्वे न. 340/1 में रास्ता	00	06	39
	339/4	00	17	72
	339/3	00	04	34
	339/2	00	10	01
	339/1	00	06	55
	339/13	00	05	73
	सर्वे न. 342 में रास्ता	00	08	93
	341/7वी	00	00	54
	341/8	00	10	08
	343	00	00	59
2) सिन्दलागुन्डु	680/7	00	37	06
	680/4	00	13	33
	681/3	00	10	08
	681/4	00	03	56
	681/7ए	00	16	93
	681/6	00	07	54
	681/5ए	00	32	43
	681/5वी	00	00	85
	693/2ए	00	10	21
	693/2वी	00	00	11
	693/1ए	00	01	73
	693/1वी	00	09	66
	693/1सी	00	12	70
	692/2	00	11	42
	692/1	00	34	97
	691	00	33	61
	690	00	00	89

1	2	3	4	5
2) सिन्दलागुन्डु (निरंतर)	698/3	00	13	10
	698/1	00	22	96
	698/2	00	08	86
	699	00	01	62
	सर्वे न. 697 में रास्ता	00	04	60
	700/4	00	00	16
	701/3	00	01	69
	701/4	00	28	67
	701/2	00	08	58
	701/1	00	01	70
	703	00	03	16
	644/2	00	16	04
	643	00	27	23
	642	00	00	20
	637	00	44	95
	638/2	00	06	31
	638/1	00	04	10
	638/3	00	05	57
	सर्वे न. 639 में रास्ता	00	06	32
	612/3	00	02	28
	612/2ए	00	27	36
	612/2बी	00	11	66
	613/1	00	09	73
	613/2	00	06	57
	613/3	00	05	43
	615/1	00	18	58
	615/2	00	00	81
	सर्वे न. 616 में रास्ता	00	09	60
	621	00	31	03
	सर्वे न. 610 में रास्ता	00	08	64
	600	00	13	59
	599	00	59	71
	सर्वे न. 596 में नदी	00	12	63
	598	00	44	13
	449	00	95	87
	सर्वे न. 450 में रास्ता	00	07	82
	451	00	37	61
	446	00	33	51
	445	00	17	73
	444	00	20	13
	440	00	19	23
	434	00	02	95

1	2	3	4	5
3) कुरुवापट्टी	1/3	00	21	93
	1/2	00	55	88
	1/4	00	00	51
	205	00	01	94
	1/1	00	29	82
	सर्वे न. 208 में रेल्वे	00	09	86
	210/1	00	33	02
	सर्वे न. 185 में रास्ता	00	11	57
	211/2बी	00	03	42
	211/2ए	00	13	29
	211/1	00	99	36

तालुक ध्वेदासन्दुर	जिला इडिङ्गल	राज्य तमिलनाडु	3
1) आलम्बाडि	59	00	04 69
	60	00	00 49
	58/1	00	25 14
	58/2	00	17 57
	57	00	29 28
	64	00	16 33
	63/1	00	24 47
	68/2ए	00	15 87
	68/2बी	00	16 77
	69/2	00	05 94
	75/1	00	69 66
	75/2	00	31 71
	76/1	00	53 24
	792/1	00	05 68
	792/2	00	22 88
	774/1बी2	00	23 84
	774/1ए	00	00 10
	773/5	00	06 64
	773/1बी2	00	09 18
	773/1ए	00	04 47
	773/1बी1	00	30 54
	सर्वे न. 769 में रास्ता	00	03 69
	753/1	00	17 72
	753/2	00	20 04
	सर्वे न. 754 में रास्ता	00	07 56
	755	00	14 68
	758	00	23 65
	749	00	54 63
	739	00	20 40
	738	00	37 27
	725	00	50 87

1	2	3	4	5
1) आलम्बाडि (निरंतर)	सर्वे न. 726 में रास्ता	00	02	66
	728	00	15	83
	727	00	13	50
	714/4ए	00	45	78
	714/4बी	00	16	94
	715	00	29	99
	716/1	00	01	13
	706	00	00	10
	704/4	00	05	68
	704/3	00	04	15
	704/2	00	02	63
	704/5	00	00	87
	704/6	00	01	55
	704/7	00	02	81
	704/8	00	00	10
	704/9	00	03	90
	704/10	00	00	61
	704/11	00	04	96
	704/13	00	01	92
	704/12	00	06	87
	703/2इ	00	00	10
	सर्वे न. 1205 में रास्ता	00	03	27
	1201/1	00	00	41
	1200/1डी	00	00	48
	1200/1सी	00	00	93
	1200/1बी	00	15	52
	1200/2सी	00	00	31
	1200/2डी	00	04	18
	1199/3	00	01	93
	1199/2सी	00	14	73
	1197/1	00	09	78
	1197/3	00	00	91
	1197/4	00	02	17
	1197/5	00	01	64
	1198/1	00	03	03
	1198/2	00	05	88
	1198/3	00	19	64
	1176	00	77	57
	1172	00	32	94
	1175	00	13	40
	1174	00	00	96
	सर्वे न. 1170 में रास्ता	00	05	17

1	2	3	4	5
1) आलम्बाडि (निरंतर)	1169	00	47	55
	1347	00	26	29
	1346	00	18	80
	1345	00	08	14
	1362	00	98	35
	1353	00	47	62
	1354	00	02	88
	1355	00	23	64
	1356	00	60	80
	1363	00	08	66
	सर्वे न. 1373 में रास्ता	00	03	63
	1375	00	11	32
	1376	00	08	19
	1374	00	01	03
	1377	00	30	25
	1378	00	25	57
	1379	00	01	13
	1382	00	41	39
	1384	00	21	47
	1386	00	49	53
	सर्वे न. 1385 में नाला	00	03	66
	सर्वे न. 1428 में रास्ता	00	24	21
	1427	00	83	35
	745	00	00	92
	77	00	01	39
2) श्रीरामपुरम	सर्वे न. 628 में रास्ता	00	05	36
	629/3डी	00	16	38
	629/3ई1	00	00	92
	629/3एफ	00	01	28
	629/3जी	00	00	70
	630/1	00	17	81
	630/2	00	00	56
	637/1वी	00	06	19
	637/1सी	00	11	75
	637/1डी	00	05	35
	637/1ई	00	05	56
	637/2ए	00	09	87
	637/2वी	00	05	14
	637/2सी	00	16	89
	633/1	00	00	19
	636/1ए	00	04	32
	636/1वी	00	10	08



1	2	3	4	5
2) श्रीरामपुरम (निरंतर)	636/12	00	01	41
	636/1सी	00	08	23
	636/1डी	00	09	02
	662/1	00	04	23
	सर्वे न. 661 में रास्ता	00	21	83
	655	00	02	63
	660	00	45	15
	659	00	16	19
	679	00	09	58
	680	00	21	60
	677	00	24	81
	667/1	00	36	34
	668/1	00	26	12
	850	00	00	86
	669	00	34	22
	848/2एम	00	00	62
	848/2सी	00	01	33
	848/2डी	00	06	48
	848/2ई	00	03	45
	848/1वी2	00	03	35
	848/1वी1	00	09	70
	848/1सी	00	04	70
	848/2एफ	00	00	22
	848/2जी	00	01	11
	848/3	00	12	93
	848/4	00	00	67
	848/2एच	00	09	07
	848/2वी	00	00	10
	877/1ए8	00	01	96
	877/2ए	00	01	45
	877/1डी1	00	01	88
	877/1ए7	00	13	73
	879/1ए	00	01	40
	879/1एफ	00	00	76
	879/2ए	00	10	48
	879/2वी	00	03	17
	880/22	00	00	43
	880/18	00	01	14
	879/2डी	00	04	87
	879/2ई	00	01	63
	879/2एफ	00	02	67
	879/3ए	00	12	81

1	2	3	4	5
2) श्रीरामपुरम (निरंतर)	सर्वे न. 881 में रास्ता	00	03	74
	882/1ए	00	07	62
	882/1सी	00	12	56
	882/2ए	00	09	75
	882/2बी	00	09	34
	895	00	00	22
	सर्वे न. 901 में रास्ता	00	09	84
	906	00	42	16
	908/1	00	24	99
	908/3ए	00	16	04
	916	00	03	82
	917/3	00	12	00
	915/1	00	29	58
	915/2	00	00	13
	914/1	00	29	05
	914/2ए	00	00	10
	934	00	23	06
3) मारमबाडि	764	00	19	87
	सर्वे न. 765 में नाला	00	26	27
	सर्वे न. 756 में रास्ता	00	05	96
	767	00	11	27
	766	00	25	52
	769	00	00	05
	784	00	15	43
	783	00	22	32
	781	00	23	02
	780	00	15	90
	786	00	73	22
	796	00	12	10
	1060	00	12	27
	1061	00	31	98
	1062	00	10	76
	1063	00	27	39
तालुक : आलुर	जिला : डिन्डिगल	राज्य : तमिलनाडु		
1) तमरायकुलम	84/5	00	13	44
	85/1	00	18	73
	85/2	00	35	12
	86/4	00	14	25
	86/3	00	01	06
	86/5	00	14	56
	87/2	00	13	78
	87/3	00	14	25
	87/6	00	15	44

1	2	3	4	5
1) तमरायकुलम (निरंतर)	87/7	00	10	52
	96/1ए	00	16	31
	96/1बी	00	12	66
	96/3	00	23	19
	99/1	00	27	39
	99/3	00	14	97
	99/2	00	02	18
	117/1ए	00	15	42
	117/1बी	00	08	02
	117/1सी	00	07	42
	117/1डी	00	05	26
	117/1इ	00	05	76
	117/1एफ	00	04	81
	117/2	00	15	30
	115/1	00	04	25
	115/2	00	11	78
	116/1	00	00	10
	116/2	00	02	76
	115/3डी	00	01	43
	115/3इ	00	02	43
	115/3एफ	00	01	97
	115/3जी	00	01	68
	115/4	00	07	01
	115/5	00	08	38
	113/1	00	06	27
	114/1	00	07	50
	114/2	00	07	20
	114/3	00	05	61
	113/2	00	03	14
	113/3	00	05	71
	138/1	00	04	78
	138/2बी	00	07	33
	138/2डी	00	06	61
	139/1	00	04	09
	138/3बी	00	05	66
	139/2	00	17	13
	140/1ए	00	11	76
	140/2	00	16	41
	140/3	00	17	91
	135/1	00	21	93
	सर्वे न. 135/2 में रास्ता	00	02	37
	134/5बी1	00	21	12

1	2	3	4	5
1) तमरायकुलम (निरंतर)	134/5बी2	00	01	61
	133/2ए1	00	12	90
	134/5सी	00	00	50
	132/1	00	00	10
	133/2ए2	00	13	93
	151/1	00	08	21
	151/2	00	07	06
	151/3	00	10	00
	152/1	00	25	11
	152/4	00	08	51
	152/5	00	04	79
	152/6	00	00	76
2) पिथलायपट्टी	1/1	00	67	03
	8/2ए	00	24	00
	8/2बी	00	28	01
	8/3	00	02	29
	8/4	00	28	21
	8/5	00	00	81
	23/5	00	19	55
	7/1	00	12	97
	23/3	00	09	54
	24/2ए	00	46	08
	30/5	00	11	25
	30/4	00	00	15
	31/1	00	06	80
	31/2	00	07	77
	28/1	00	05	61
	28/2	00	04	08
	28/3	00	04	00
	28/4ए	00	02	09
	28/4बी	00	10	15
	28/5ए	00	06	00
	28/5बी	00	04	00
	28/6	00	02	71
	27/1	00	08	58
	27/2	00	03	31
	26/1	00	04	65
	26/2ए	00	02	93
	26/2बी	00	02	93
	सर्वे न. 140 में रास्ता	00	05	78
	147/1	00	01	82
	153	00	04	73

1	2	3	4	5
2) पिथलायपट्टी (निरंतर)	147/2ए	00	09	32
	147/2बी	00	10	48
	147/2सी	00	10	02
	148/1बी	00	01	16
	148/1ए	00	06	57
	152/1	00	03	72
	152/2	00	16	28
	152/3	00	09	25
	152/4	00	10	26
	154	00	01	42
	सर्वे न. 151/2 में <del>सर्वे</del>	00	47	87
	151/1	00	02	91
	163/1ए	00	05	21
	162	00	34	83
3) वक्कमपट्टी	15	00	29	00
	14	00	45	10
	13	00	35	17
	सर्वे न. 1 में नाला	00	03	94
	12	00	17	88
	11/1	00	11	01
	11/2	00	03	85
	11/3	00	04	72
	11/5	00	00	94
	11/6	00	00	26
	सर्वे न. 25 में नाला	00	15	66
	28	00	11	56
	सर्वे न. 29 में रास्ता	00	03	03
	50	00	01	07
	49	00	25	76
	48	00	11	03
	47/1	00	06	92
	47/2ए	00	03	87
	47/2बी	00	03	33
	47/4ए	00	04	00
	47/4बी1	00	00	64
	47/4बी2	00	03	17
	47/5बी1	00	03	90
	47/5बी2	00	04	32
	47/7बी	00	03	52
	47/8	00	02	77
	47/11बी	00	03	27
	47/12	00	03	38

1	2	3	4	5
3) वक्कमपट्टी (निरंतर)	47/14ए	00	05	58
	47/14बी	00	06	75
	51/1	00	02	61
	52/1सी	00	02	39
	52/2	00	01	68
	51/3	00	01	76
	51/5	00	02	06
	56	00	50	86
	58	00	13	87
	सर्वे न. 61 में रास्ता	00	12	45
	80/1	00	03	73
	80/2	00	01	01
	80/4	00	00	39
	80/7ए	00	06	89
	80/7बी	00	08	25
	80/7सी	00	06	27
	80/9	00	04	92
	80/12	00	04	66
	80/14	00	02	05
	80/16	00	02	06
	80/15ड	00	02	16
	80/15एच	00	02	22
	80/22	00	01	27
	80/23	00	09	14
	79	00	11	47
	78/2सी	00	00	22
	78/7	00	02	09
	78/8बी	00	04	33
	83/2ए	00	11	77
	83/2बी	00	00	10
	83/2सी	00	05	07
	83/2एफ	00	00	96
	83/2जी	00	02	29
	83/2आइ	00	03	21
	83/2एल	00	01	69
	83/3	00	11	63
	83/5	00	03	64
	87/4ए	00	03	93
	87/5ए	00	05	30
	87/5बी	00	05	59
	87/5सी	00	01	14
	87/5डी	00	05	05

1	2	3	4	5
3) वक्कमपट्टी (निरंतर)	87/5एफ	00	02	86
	87/5ई	00	01	93
	87/5जी	00	01	55
	87/6	00	01	95
	86	00	24	45
	85	00	07	42
	97/2	00	08	19
	97/5सी	00	06	66
	97/5डी	00	02	93
	97/9ए	00	01	79
	97/9बी	00	02	34
	97/10	00	02	96
	97/11ए	00	00	86
	97/5बी	00	00	10
	97/6बी	00	01	76
	97/8बी	00	00	41
	97/6ए	00	04	57
	97/8ए	00	10	48
	98	00	14	34
	99/10	00	03	13
	99/12ए	00	02	93
	99/12बी	00	02	19
	108	00	11	75
4) मुन्गिलाकोट्टय	67/2	00	01	51
	67/3	00	02	94
	67/4	00	01	16
	67/5	00	00	10
	123/2ए	00	00	30
	123/1	00	03	58
	123/2बी	00	02	98
	123/3ए1	00	03	71
	123/3बी	00	03	06
	123/3सी	00	01	87
	123/3एच	00	01	06
	124/1	00	08	90
	124/2	00	09	50
	125/1ए	00	03	11
	125/1बी	00	09	04
	125/3	00	16	97
	125/4	00	03	13
	125/2	00	03	50
	120/1	00	01	20

1	2	3	4	5
4) मुम्बिलाकोट्टय (निरंतर)	126	00	64	94
	127/2	00	04	80
	127/1	00	04	41
	127/3	00	11	43
	127/5	00	08	01
	165/1ए	00	01	77
	165/1वी	00	12	32
	165/2	00	19	37
	165/4	00	09	43
	165/5	00	09	46
	165/7ए	00	16	79
	166/7	00	08	51
	166/5वी	00	04	88
	166/5ए	00	03	40
	166/5ई	00	07	52
	166/5एफ	00	08	57
	166/5जी	00	00	84
	166/5जे	00	07	50
	166/4वी	00	10	67
	166/6ए	00	15	82
	166/4डी	00	08	10
	सर्वे न. 171 में रास्ता	00	05	32
	188/4	00	25	66
	194/2	00	14	94
	194/1	00	08	83
	194/5	00	05	21
	194/4	00	00	31
	195	00	11	94
	197/1	00	04	78
	197/2	00	05	25
	197/3	00	05	35
	203	00	00	86
	198/1	00	06	07
	198/2	00	07	88
	198/3	00	08	62
	184/4वी	00	01	44
	सर्वे न. 199 में नाला	00	00	77
	184/7	00	08	34
	184/8वी	00	04	32
	184/8ए	00	05	13
	184/3सी	00	00	56
	184/3वी	00	06	64



1	2	3	4	5
4) मुंबिलाकोट्टय (निरंतर)	184/3ए	00	00	71
	182/10डी	00	11	91
	182/10ए	00	02	35
	182/10बी	00	04	36
	182/10सी	00	06	56
	182/14ए	00	00	10
	182/12डी	00	07	76
	182/13सी	00	09	89
	452	00	16	00
	449/4बी	00	00	28
	449/4सी	00	12	05
	449/5सी	00	07	58
	449/5बी	00	01	53
	450	00	16	95
	449/9	00	05	77
	449/10	00	06	10
	449/11	00	05	95
	449/15	00	11	59
	448	00	25	36
	445/3सी	00	03	14
	443	00	65	52
	414/2ए	00	12	68
	414/3ए	00	13	58
	414/4डी1	00	03	35
	सर्वे न. 415 में रास्ता	00	11	01
	417	00	41	60
	416	00	30	90
	400/7बी1	00	07	25
	400/10ए	00	02	26
	400/10बी	00	02	01
	400/10सी	00	02	46
	400/9बी	00	03	40
	400/9ए	00	04	67
	400/7बी2	00	02	30
	399/4	00	11	90
	398/1बी	00	01	07
	394/1	00	25	40
	393/1	00	01	90
	395/1ए	00	10	14
	395/3ए1	00	20	05
	394/2	00	06	33
	398/2सी	00	07	31

1	2	3	4	5
4) मुम्बिलाकोट्टय (निरंतर)	396/1	00	00	98
	397/1ए2	00	14	52
	397/1बी	00	04	41
	397/2सी	00	09	70
	396/3ए	00	08	85
	396/3बी	00	00	50

[फा सं. एल. 14014/94/2010 जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

New Delhi, the 3rd December, 2010

S. O. 3007.—Whereas it appears to the Government of India that it is necessary in the public interest that for the transportation of natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamil Nadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to the Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri S.Rajamanickam, Competent Authority, Relogistics Infrastructure Limited, No. 9D/6D Ramakrishnapuram, Opp.Pillayar Kovil, Karur – 639 001, Tamil Nadu State.

**Schedule**

Taluk:Dindigul		District:Dindigul		State:Tamil Nadu	
Village	Survey No./Sub-Division	Area to be acquired for RoU			
1	2	Hec	Acre	C-Acre	
		3	4	5	
1) Settinaickanpatti	32	00	57	92	
	38	00	00	14	
	32/4B	00	01	23	
	37/4	00	18	04	
	37/3	00	03	04	
	37/5	00	03	45	
	37/6	00	27	11	
	37/2	00	01	99	
	37/7	00	18	25	
	37/11	00	10	14	
	37/12	00	08	51	
	37/10	00	02	07	
	41/2A	00	00	75	
	41/1B	00	19	30	
	41/1A	00	22	62	
	42/1	00	00	94	
	42/2	00	07	37	
	43	00	10	93	
	44/1B	00	00	42	
	44/1A2	00	20	12	
	44/2A	00	09	88	
	44/2C	00	08	82	
	44/2D	00	01	68	
	44/3A	00	05	92	
	44/1A1	00	33	51	
	44/3C1	00	36	26	
	44/3C2	00	04	66	
	69	00	36	25	
	Nala in Survey No.70	00	11	70	
	71	00	40	39	
	72	00	09	89	
	73	00	08	21	
	74/2	00	00	61	
	74/1A	00	38	07	
	74/1B	00	02	67	
	75/2	00	13	56	
	76/1C	00	28	42	

1	2	3	4	5
1) Settinaickanpatti (Contd)	76/1B	00	02	03
	Road in Survey No. 77	00	09	95
	78	00	15	36
	329/1A	00	05	98
	329/1B	00	05	62
	329/2	00	03	40
	329/3B	00	04	65
	333	00	28	08
	330/1	00	07	71
	330/2	00	09	99
	330/3	00	11	05
	330/5	00	10	71
	332/21	00	00	10
	332/22	00	08	34
	332/19	00	00	55
	Road in Survey No. 340/1	00	06	39
	339/4	00	17	72
	339/3	00	04	34
	339/2	00	10	01
	339/1	00	06	55
	339/13	00	05	73
	Road in Survey No. 342	00	08	93
	341/7B	00	00	54
	341/8	00	10	08
	343	00	00	59
2) Sindalagundu	680/7	00	37	06
	680/4	00	13	33
	681/3	00	10	08
	681/4	00	03	56
	681/7A	00	16	93
	681/6	00	07	54
	681/5A	00	32	43
	681/5B	00	00	85
	693/2A	00	10	21
	693/2B	00	00	11
	693/1A	00	01	73
	693/1B	00	09	66
	693/1C	00	12	70
	692/2	00	11	42
	692/1	00	34	97
	691	00	33	61
	690	00	00	89

1	2	3	4	5
2) Sindalagundu (Contd)	698/3	00	13	10
	698/1	00	22	96
	698/2	00	08	86
	699	00	01	62
	Road in Survey No.697	00	04	60
	700/4	00	00	16
	701/3	00	01	69
	701/4	00	28	67
	701/2	00	08	58
	701/1	00	01	70
	703	00	03	16
	644/2	00	16	04
	643	00	27	23
	642	00	00	20
	637	00	44	95
	638/2	00	06	31
	638/1	00	04	10
	638/3	00	05	57
	Road in Survey No. 639	00	06	32
	612/3	00	02	28
	612/2A	00	27	36
	612/2B	00	11	66
	613/1	00	09	73
	613/2	00	06	57
	613/3	00	05	43
	615/1	00	18	58
	615/2	00	00	81
	Road in Survey No. 616	00	09	60
	621	00	31	03
	Road in Survey No. 610	00	08	64
	600	00	13	59
	599	00	59	71
	River in Survey No. 596	00	12	63
	598	00	44	13
	449	00	95	87
	Road in Survey No. 450	00	07	82
	451	00	37	61
	446	00	33	51
	445	00	17	73
	444	00	20	13
	440	00	19	23
	434	00	02	95

1	2	3	4	5
3) Kurumbapatti	1/3	00	21	93
	1/2	00	55	88
	1/4	00	00	51
	205	00	01	94
	1/1	00	29	82
	Railway in Survey No. 208	00	09	86
	210/1	00	33	02
	Road in Survey No. 185	00	11	57
	211/2B	00	03	42
	211/2A	00	13	29
	211/1	00	39	36

Taluk: Veda sandur	District: Dindigul	State: Tamil Nadu		
1) Alambadi	59	00	04	69
	60	00	00	49
	58/1	00	25	14
	58/2	00	17	57
	57	00	29	28
	64	00	16	33
	65/1	00	24	47
	68/2A	00	15	87
	68/2B	00	16	77
	69/2	00	05	94
	75/1	00	69	66
	75/2	00	31	71
	76/1	00	53	24
	792/1	00	05	66
	792/2	00	22	88
	774/1B2	00	23	84
	774/1A	00	00	10
	773/5	00	06	64
	773/1B2	00	09	18
	773/1A	00	04	47
	773/1B1	00	30	54
	Road in Survey No. 769	00	03	69
	753/1	00	17	72
	753/2	00	20	04
	Road in Survey No. 754	00	07	56
	755	00	14	68
	756	00	23	65
	744	00	51	63
	739	00	20	40
	738	00	37	27
	725	00	50	87

1	2	3	4	5
1) Alambadi (Contd)	Road in Survey No. 726	00	02	66
	728	00	15	83
	727	00	13	50
	714/4A	00	45	78
	714/4B	00	16	94
	715	00	29	99
	716/1	00	01	13
	706	00	00	10
	704/4	00	05	68
	704/3	00	04	15
	704/2	00	02	63
	704/5	00	00	87
	704/6	00	01	55
	704/7	00	02	81
	704/8	00	00	10
	704/9	00	03	90
	704/10	00	00	61
	704/11	00	04	96
	704/13	00	01	92
	704/12	00	06	87
	703/2E	00	00	10
	Road in Survey No. 1205	00	03	27
	1201/1	00	00	41
	1200/1D	00	00	48
	1200/1C	00	00	93
	1200/1B	00	15	52
	1200/2C	00	00	31
	1200/2D	00	04	18
	1199/3	00	01	93
	1199/2C	00	14	73
	1197/1	00	09	78
	1197/3	00	00	91
	1197/4	00	02	17
	1197/5	00	01	64
	1198/1	00	03	03
	1198/2	00	05	88
	1198/3	00	19	64
	1176	00	77	57
	1172	00	32	94
	1175	00	13	40
	1174	00	00	96
	Road in Survey No. 1170	00	05	17

1	2	3	4	5
1) Alambadi (Contd)	1169	00	47	55
	1347	00	26	29
	1346	00	18	80
	1345	00	08	14
	1362	00	98	35
	1353	00	47	62
	1354	00	02	88
	1355	00	23	64
	1356	00	60	80
	1363	00	08	66
	Road in Survey No. 1373	00	03	63
	1375	00	11	32
	1376	00	08	19
	1374	00	01	03
	1377	00	30	25
	1378	00	25	57
	1379	00	01	13
	1382	00	41	39
	1384	00	21	47
	1386	00	49	53
	Nala in Survey No. 1385	00	03	66
	Road in Survey No. 1428	00	24	21
	1427	00	83	35
	745	00	00	92
	77	00	01	39
2) Srirampuram	Road in Survey No. 628	00	05	36
	629/3D	00	16	38
	629/3E1	00	00	92
	629/3F	00	01	28
	629/3G	00	00	70
	630/1	00	17	81
	630/2	00	00	56
	637/1B	00	06	19
	637/1C	00	11	75
	637/1D	00	05	35
	637/1E	00	05	56
	637/2A	00	09	87
	637/2B	00	05	14
	637/2C	00	16	89
	633/1	00	00	19
	636/1A	00	04	32
	636/1B	00	10	08



1	2	3	4	5
2) Srirampuram (Contd)	636/12	00	01	41
	636/1C	00	08	23
	636/1D	00	09	02
	662/1	00	04	23
	Road in Survey No. 661	00	21	83
	655	00	02	63
	660	00	45	15
	659	00	16	19
	679	00	09	58
	680	00	21	60
	677	00	24	81
	667/1	00	36	34
	668/1	00	26	12
	850	00	00	86
	669	00	34	22
	848/2M	00	00	62
	848/2C	00	01	33
	848/2D	00	06	48
	848/2E	00	03	45
	848/1B2	00	03	35
	848/1B1	00	09	70
	848/1C	00	04	70
	848/2F	00	00	22
	848/2G	00	01	11
	848/3	00	12	93
	848/4	00	00	67
	848/2H	00	09	07
	848/2B	00	00	10
	877/1A8	00	01	96
	877/2A	00	01	45
	877/1D1	00	01	88
	877/1A7	00	13	73
	879/1E	00	01	40
	879/1F	00	00	76
	879/2A	00	10	48
	879/2B	00	03	17
	880/22	00	00	43
	880/18	00	01	14
	879/2D	00	04	87
	879/2E	00	01	63
	879/2F	00	02	67
	879/3A	00	12	81

1	2	3	4	5
2) Srirampuram (Contd)	Road in Survey No. 881	00	03	74
	882/1A	00	07	62
	882/1C	00	12	56
	882/2A	00	09	75
	882/2B	00	09	34
	895	00	00	22
	Road in Survey No. 901	00	09	84
	906	00	42	16
	908/1	00	24	99
	908/3A	00	16	04
	916	00	03	82
	917/3	00	12	00
	915/1	00	29	58
	915/2	00	00	13
	914/1	00	29	05
	914/2A	00	00	10
	934	00	23	06
3) Marambadi	764	00	19	87
	Nala in Survey No. 765	00	26	27
	Road in Survey No. 756	00	05	96
	767	00	11	27
	766	00	25	52
	769	00	00	05
	784	00	15	43
	783	00	22	32
	781	00	23	02
	780	00	15	90
	786	00	73	22
	796	00	12	10
	1060	00	12	27
	1061	00	31	98
	1062	00	10	76
	1063	00	27	39
Taluk:Athoor		District:Dindigul		State:Tamil Nadu
1) Tamaraikulam	84/5	00	13	44
	85/1	00	18	73
	85/2	00	35	12
	86/4	00	14	25
	86/3	00	01	06
	86/5	00	14	56
	87/2	00	13	78
	87/3	00	14	25
	87/6	00	15	44

1	2	3	4	5
1) Tamaraikulam (Contd)	87/7	00	10	52
	96/1A	00	16	31
	96/1B	00	12	66
	96/3	00	23	19
	99/1	00	27	39
	99/3	00	14	97
	99/2	00	02	18
	117/1A	00	15	42
	117/1B	00	08	02
	117/1C	00	07	42
	117/1D	00	05	26
	117/1E	00	05	76
	117/1F	00	04	81
	117/2	00	15	30
	115/1	00	04	25
	115/2	00	11	78
	116/1	00	00	10
	116/2	00	02	76
	115/3D	00	01	43
	115/3E	00	02	43
	115/3F	00	01	97
	115/3G	00	01	68
	115/4	00	07	01
	115/5	00	08	38
	113/1	00	06	27
	114/1	00	07	50
	114/2	00	07	20
	114/3	00	05	61
	113/2	00	03	14
	113/3	00	05	71
	138/1	00	04	78
	138/2B	00	07	33
	138/2D	00	06	61
	139/1	00	04	09
	138/3B	00	05	66
	139/2	00	17	13
	140/1A	00	11	76
	140/2	00	16	41
	140/3	00	17	91
	135/1	00	21	93
	Road in Sruey No. 135/2	00	02	37
	134/5B1	00	21	12

1	2	3	4	5
1) Tamaraikulam (Contd)	134/5B2	00	01	61
	133/2A1	00	12	90
	134/5C	00	00	50
	132/1	00	00	10
	133/2A2	00	13	93
	151/1	00	08	21
	151/2	00	07	06
	151/3	00	10	00
	152/1	00	25	11
	152/4	00	08	51
	152/5	00	04	79
	152/6	00	00	76
2) Pithalaipatti	1/1	00	67	03
	8/2A	00	24	00
	8/2B	00	28	01
	8/3	00	02	29
	8/4	00	28	21
	8/5	00	00	81
	23/5	00	19	55
	7/1	00	12	97
	23/3	00	09	54
	24/2A	00	46	08
	30/5	00	11	25
	30/4	00	00	15
	31/1	00	06	80
	31/2	00	07	77
	28/1	00	05	61
	28/2	00	04	08
	28/3	00	04	00
	28/4A	00	02	09
	28/4B	00	10	15
	28/5A	00	06	00
	28/5B	00	04	00
	28/6	00	02	71
	27/1	00	08	58
	27/2	00	03	31
	26/1	00	04	65
	26/2A	00	02	93
	26/2B	00	02	93
	Road in Survey No. 140	00	05	78
	147/1	00	01	82
	153	00	04	73

1	2	3	4	5
2) Pithalaipatti (Contd)	147/2A	00	09	32
	147/2B	00	10	48
	147/2C	00	10	02
	148/1B	00	01	16
	148/1A	00	06	57
	152/1	00	03	72
	152/2	00	16	28
	152/3	00	09	25
	152/4	00	10	26
	154	00	01	42
	Nala in Survey No. 151/2	00	47	87
	151/1	00	02	91
	163/1A	00	05	21
	162	00	34	83
3) Vakkampatti	15	00	29	00
	14	00	45	10
	13	00	35	17
	Nala in Survey No. 1	00	03	94
	12	00	17	88
	11/1	00	11	01
	11/2	00	03	85
	11/3	00	04	72
	11/5	00	00	94
	11/6	00	00	26
	Nala in Survey No. 25	00	15	66
	28	00	11	56
	Road in Survey No. 29	00	03	03
	50	00	01	07
	49	00	25	76
	48	00	11	03
	47/1	00	06	92
	47/2A	00	03	87
	47/2B	00	03	33
	47/4A	00	04	00
	47/4B1	00	00	64
	47/4B2	00	03	17
	47/5B1	00	03	90
	47/5B2	00	04	32
	47/7B	00	03	52
	47/8	00	02	77
	47/11B	00	03	27
	47/12	00	03	38

1	2	3	4	5
3) Vakkampatti (Contd)	47/14A	00	05	58
	47/14B	00	06	75
	51/1	00	02	61
	52/1C	00	02	39
	52/2	00	01	68
	51/3	00	01	76
	51/5	00	02	06
	56	00	50	86
	58	00	13	87
	Road in Survey No. 61	00	12	45
	80/1	00	03	73
	80/2	00	01	01
	80/4	00	00	39
	80/7A	00	06	89
	80/7B	00	08	25
	80/7C	00	06	27
	80/9	00	04	92
	80/12	00	04	66
	80/14	00	02	05
	80/16	00	02	06
	80/15F	00	02	16
	80/15H	00	02	22
	80/22	00	01	27
	80/23	00	09	14
	79	00	11	47
	78/2C	00	00	22
	78/7	00	02	09
	78/8B	00	04	33
	83/2A	00	11	77
	83/2B	00	00	10
	83/2C	00	05	07
	83/2F	00	00	96
	83/2G	00	02	29
	83/2I	00	03	21
	83/2L	00	01	69
	83/3	00	11	63
	83/5	00	03	64
	87/4A	00	03	93
	87/5A	00	05	30
	87/5B	00	05	59
	87/5C	00	01	14
	87/5D	00	05	05

1	2	3	4	5
3) Vakkampatti (Contd)	87/SF	00	02	86
	87/5E	00	01	93
	87/5G	00	01	55
	87/6	00	01	95
	86	00	24	45
	85	00	07	42
	97/2	00	08	19
	97/5C	00	06	66
	97/5D	00	02	93
	97/9A	00	01	79
	97/9B	00	02	34
	97/10	00	02	96
	97/11A	00	00	86
	97/5B	00	00	10
	97/6B	00	01	76
	97/8E	00	00	41
	97/6A	00	04	57
	97/8A	00	10	48
	98	00	14	34
	99/10	00	03	13
	99/12A	00	02	93
	99/12B	00	02	19
	108	00	11	75
4) Munnalakottai	67/2	00	01	51
	67/3	00	02	94
	67/4	00	01	16
	67/5	00	00	10
	123/2A	00	00	30
	123/1	00	03	58
	123/2B	00	02	98
	123/3A1	00	03	71
	123/3B	00	03	06
	123/3C	00	01	87
	123/3H	00	01	06
	124/1	00	08	90
	124/2	00	09	50
	125/1A	00	03	11
	125/1B	00	09	04
	125/3	00	16	97
	125/4	00	03	13
	125/2	00	03	50
	120/1	00	01	20

1	2	3	4	5
4) Munnalakottai (Contd)	126	00	64	94
	127/2	00	04	80
	127/1	00	04	41
	127/3	00	11	43
	127/5	00	08	01
	165/1A	00	01	77
	165/1B	00	12	32
	165/2	00	19	37
	165/4	00	09	43
	165/5	00	09	46
	165/7A	00	16	79
	166/7	00	08	51
	166/5B	00	04	88
	166/5A	00	03	40
	166/5E	00	07	52
	166/5F	00	08	57
	166/5G	00	00	84
	166/5J	00	07	50
	166/4B	00	10	61
	166/6A	00	15	82
	166/4D	00	08	10
	Road in Survey No. 171	00	05	32
	188/4	00	25	66
	194/2	00	14	94
	194/1	00	08	83
	194/5	00	05	21
	194/4	00	00	31
	195	00	11	94
	197/1	00	04	78
	197/2	00	05	25
	197/3	00	05	35
	203	00	00	86
	198/1	00	06	07
	198/2	00	07	88
	198/3	00	08	62
	184/4B	00	01	44
	Nala in Survey No. 199	00	00	77
	184/7	00	08	34
	184/8B	00	04	32
	184/8A	00	05	13
	184/3C	00	00	56
	184/3B	00	06	64



1	2	3	4	5
4) Munnalakottai (Contd)	184/3A	00	00	71
	182/10D	00	11	91
	182/10A	00	02	35
	182/10B	00	04	36
	182/10C	00	06	56
	182/14A	00	00	10
	182/12D	00	07	76
	182/13C	00	09	89
	452	00	16	00
	449/4B	00	00	28
	449/4C	00	12	05
	449/5C	00	07	58
	449/5B	00	01	53
	450	00	16	95
	449/9	00	05	77
	449/10	00	06	10
	449/11	00	05	95
	449/15	00	11	59
	448	00	25	36
	445/3C	00	03	14
	443	00	65	52
	414/2A	00	12	68
	414/3A	00	13	58
	414/4D1	00	03	35
	Road in Survey No. 415	00	11	01
	417	00	41	60
	416	00	30	90
	400/7B1	00	07	25
	400/10A	00	02	26
	400/10B	00	02	01
	400/10C	00	02	46
	400/9B	00	03	40
	400/9A	00	04	67
	400/7B2	00	02	30
	399/4	00	11	90
	398/1B	00	01	07
	394/1	00	25	40
	393/1	00	01	90
	395/1A	00	10	14
	395/3A1	00	20	05
	394/2	00	06	33
	398/2C	00	07	31

1	2	3	4	5
4) Munnalakottai (Contd)	396/1	00	00	98
	397/1A2	00	14	52
	397/1B	00	04	41
	397/2C	00	09	70
	396/3A	00	08	85
	396/3B	00	00	50

[F. No. L-14014/94/2010-GP]  
SNEH P. MADAN, Under Secy.

नई दिल्ली, 3 दिसम्बर, 2010

का. आ. 3008.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतनी के पास विजयवाडा-नैल्लोर-चैन्नई पाइपलाइन के टर्मिनल प्वाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन बिछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री एस. राजामनिक्कम, सक्षम प्राधिकारी, रिलोजिसटिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 9डी/6डी, रामकृष्णपुरम, पील्लैयार कोवील के सामने, करूर - 639001, तमिलनाडु राज्य को लिखित रूप में आक्षेप भेज सकेगा।

## अनुसूची

तालुक : आलुर	जिला : डिन्डिगल	राज्य : तमिलनाडु		
गाँव का नाम	सर्वे सं./ सब डिविजन सं-	आर-ओ-यू-अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) अम्बातुराय	61/1	00	18	11
	61/2बी	00	07	51
	62/2ए	00	08	37
	62/2बी	00	07	91
	62/2सी	00	07	74
	63	00	01	43
	70/1	00	12	63
	70/2	00	03	84
	69/2ए	00	03	30
	69/2बी	00	13	37
	69/2सी	00	01	46
	68	00	22	72
	78/1ए1	00	02	36
	78/2ए	00	15	26
	79	00	01	57
	81/6ए1	00	23	48
	80	00	12	01
	81/8	00	31	78
	81/9	00	26	15
	81/10बी	00	00	38
	81/11ए	00	03	01
	81/11बी	00	03	12
	83/1ए2	00	05	16
	सर्वे न. 152 में रास्ता	00	04	15
	151	00	07	42
	150/1	00	58	88
	150/2	00	00	13
	145	00	36	42
	146	00	20	45
	134/2	00	08	37
	134/1	00	15	64
	135/1	00	28	24
	135/2	00	15	54
	136	00	70	16
	सर्वे न. 374 में रास्ता	00	05	32
	363/1बी1बी	00	00	86
	363/1बी1ए	00	04	61

1	2	3	4	5
1) अम्बातुराय (निरंतर)	363/2ए	00	03	84
	363/2बी	00	00	52
	363/3ए	00	09	41
	364	00	21	10
	366	00	54	34
	361/1	00	05	57
	361/6ए	00	06	21
	361/5	00	23	51
	360/3ए	00	00	86
	355/1ए	00	06	04
	355/1बी	00	10	63
	360/4	00	02	85
	355/3	00	06	15
	355/2	00	00	94
	354/3	00	23	77
	354/7	00	09	07
	354/8	00	08	05
	354/9	00	09	05
	345/1	00	13	10
	345/2बी	00	03	88
	345/2ए	00	08	98
	345/6	00	24	52
	344	00	00	97
	345/8	00	06	02
	345/9ए	00	16	79
	345/10ए	00	12	38
	346	00	22	23
	343/11	00	03	73
	343/10	00	06	13
	341/1	00	10	70
	343/9	00	07	66
	342/1	00	05	87
	342/2	00	03	62
	342/3	00	04	69
	341/2	00	00	22
	342/4	00	17	30
	340/1	00	17	43
	340/2बी	00	12	96
	340/2डी	00	08	66
	340/2ई	00	01	80
	340/2सी	00	03	98
	340/3	00	09	51

१	२	३	४	५
१) अम्बाला (निरंतर)	३३९	००	१०	७६
	३३८/१	००	२३	७५
	३३८/३	००	०३	२२
	३३५/१ए१	००	०४	६४
	सर्वे न. ३३६ में रेल्वे	००	२५	२०
	३३२	००	२६	५४
	३३६	००	१५	३७
	३३१	००	२४	३०
	३३०/१बी	००	००	१५
	३२९	००	०२	३१
	३३०/२	००	०४	३१
	३३०/१सी	००	०१	५९
	३३०/४	००	२७	२६
	३३०/५	००	०८	७२
	२९८	००	०७	७१
	२९७/२बी	००	१६	८९
	२९७/२सी	००	००	२९
	२९७/२ए	००	०२	२९
	२९७/२डी	००	१०	०९
	२९७/३ए	००	०७	०३
	सर्वे न. २९६ में नाला	००	०४	२५
	२९५/१सी	००	०७	५८
	३००	००	३४	०६
	२९५/१डी	००	००	३४
	२९५/१ई	००	००	१०
	२९५/१एफ	००	००	३३
	२९५/२एफ	००	०५	७६
	२९५/२जी	००	०४	८०
	२९५/२आइ	००	०१	९१
	२९५/२एच	००	०२	९३
	२९५/३बी	००	०९	९९
	२९५/४ए	००	०६	३६
	२९५/४बी	००	०५	७४
	सर्वे न. २९४ में रास्ता	००	०६	७१
	२७०/१	००	१५	०१
	२७०/३	००	१७	८३
	२७०/५ए१	००	०९	९१
	२७०/५ए२	००	०८	४१
	२७१/३	००	०३	४५
	२७१/४	००	१३	८३
तालुक धनिलकोट्टय	जिला धंडिङ्गल	राज्य तमिलनाडु		
१) जम्बुतरिकोट्टय	११९/१सी	००	०५	०८
	११९/१बी	००	०३	५७

1	2	3	4	5
1) जम्बुतरिकोष्ठ्य (निरंतर)	119/1ई	00	00	10
	119/1डी	00	05	74
	119/2ई	00	03	17
	119/2वी	00	04	00
	119/2सी	00	02	67
	119/2डो	00	06	12
	120/6ए	00	04	86
	सर्वे न. 120/7 में रास्ता	00	02	78
	177/5वी	00	21	50
	177/5ए	00	00	31
	177/8ए	00	05	04
	177/7वी	00	01	50
	177/7ए	00	08	89
	177/8वी	00	02	22
	177/10ए	00	08	84
	177/10सी	00	04	71
	177/10वी	00	01	15
	177/11	00	02	03
	118	00	59	34
	125/1	00	14	32
	125/5	00	02	84
	125/6	00	01	85
	125/9ए	00	01	32
	125/7	00	00	10
	125/8	00	23	03
	125/10	00	07	18
	125/11	00	13	21
	125/12	00	00	10
	105/1	00	02	55
	105/7वी	00	00	86
	105/7ए	00	10	77
	105/6ए	00	12	63
	105/6वी	00	10	56
	105/4ए	00	00	10
	105/5	00	19	09
	105/9	00	00	39
	102/8	00	07	78
	102/7ए	00	00	24
	102/7वी	00	04	12
	102/7सी	00	03	73
	102/9	00	00	10
	102/11ए	00	01	00

1	2	3	4	5
1) जम्बुतरिकोष्ठ्य (निरंतर)	102/6	00	16	11
	101/3	00	10	87
	101/4	00	05	95
	101/5	00	01	09
	89	00	77	51
	81/1	00	23	89
	81/2	00	18	18
	81/7	00	12	46
	81/9	00	06	33
	84/3	00	04	27
	84/4	00	04	99
	84/6	00	05	26
	84/15बी1	00	12	96
	84/15बी2	00	02	32
	84/15बी3	00	14	12
	83/1	00	00	65
	83/15	00	00	64
	84/16	00	05	91
	83/12	00	00	10
	83/13ए	00	07	81
	85/7	00	06	18
	85/4	00	00	87
	85/5	00	08	40
	85/6	00	12	43
	85/9ए	00	01	72
	85/9६	00	03	54
	सर्वे न. 282 में रास्ता	00	06	33
	85/13ए	00	00	28
	85/13बी	00	04	81
	85/12	00	00	10
	85/13सी	00	10	46
	85/14ए2	00	09	62
	85/14ए3	00	07	39
	85/14सी	00	00	31
	283	00	21	95
	284/1ए1	00	14	64
	284/1ए5	00	00	42
	284/1ए4	00	04	48
	284/1बी5	00	01	84
	284/1बी6	00	00	71
	284/1बी6	00	00	60
	284/1बी4	00	21	23

1	2	3	4	5
1) जम्बुतरिकोष्ठ्य (निरंतर)	284/1वी3	00	01	81
	284/1वी8	00	18	84
	292/3सी	00	19	05
	292/4	00	01	32
	292/5	00	01	79
	292/6	00	01	90
	292/7	00	01	89
	292/9	00	02	99
	292/10	00	03	12
	292/11	00	02	65
	292/12	00	02	68
	292/15	00	04	53
	292/14	00	00	10
	292/16	00	05	57
	292/17	00	00	10
	292/19	00	07	22
	292/20	00	05	65
	293/1	00	23	88
	293/2	00	12	20
	293/3जे	00	05	85
	293/3के	00	03	75
	293/3आड	00	02	33
	293/3एल	00	07	15
	293/3	00	00	22
	293/3एन	00	13	18
	293/ 3आ	00	06	05
	293/3पी	00	00	74
	सर्वे न. 262 में नाला	00	00	71
	सर्वे न. 261 में रास्ता	00	13	86
	263/2वी	00	11	71
	263/3ए	00	11	93
	263/3ई	00	00	10
	263/3वी	00	04	41
	263/3सी	00	02	79
	263/3डी	00	07	78
	259/1ए	00	01	22
	259/4ए	00	15	09
	259/4वी	00	01	60
	259/3ए	00	06	04
	259/3वी	00	05	05
	259/3सी	00	03	54
	259/6	00	04	77



1	2	3	4	5
1) जम्बुतरिकोदय (निरंतर)	306/1	00	16	17
	306/2	00	24	72
	306/3	00	15	59
	306/4	00	16	68
	307/7	00	15	37
	307/8	00	16	94
	सर्वे न. 311 में नाला	00	07	68
	312/3	00	30	50
	320/2	00	15	08
	320/3ए	00	14	24
	312/4	00	01	17
	320/3बी1	00	10	96
	320/4	00	05	19
	320/1बी	00	07	53
	320/5ए	00	08	24
	320/8	00	14	69
	319/2	00	20	44
	319/3	00	00	37
	319/4	00	15	32
	319/6	00	13	26
	575	00	53	36
	576/6	00	04	28
	576/7ए	00	10	29
	577/1ए	00	08	73
	577/13	00	02	46
	577/7ए	00	07	71
	577/6ए	00	05	96
	577/6बी	00	10	11
	577/5	00	00	45
	577/9	00	01	86
	577/8	00	09	51
	577/10	00	06	40
	577/11	00	11	79
	578/1	00	43	42
	578/8	00	20	62
2) ओस्तदु	41/3	00	00	10
	41/4	00	01	14
	41/11	00	02	13
	42/1	00	14	51
	43/1ए	00	32	17
	43/2	00	00	41
	43/1बी	00	03	69

1	2	3	4	5
2) ओल्तदु (निरंतर)	43/3ए	00	00	34
	43/3बी	00	03	93
	43/4	00	23	85
	43/7बी3	00	03	73
	सर्वे न. 43/8 में नाला	00	08	43
	44/6	00	00	53
	44/8	00	02	89
	44/9	00	13	19
	44/10	00	06	74
	60/8	00	00	60
	सर्वे न. 44/11 में रास्ता	00	01	13
	59/12	00	00	57
	सर्वे न. 60/10 में रास्ता	00	01	47
	60/12	00	20	62
	59/1	00	09	92
	60/9	00	53	79
	57/4	00	04	74
	57/5	00	17	40
	57/6	00	05	04
	57/8	00	12	63
	सर्वे न. 55/1 में रास्ता	00	03	24
	सर्वे न. 56 में रास्ता	00	00	10
	64/6	00	05	82
	64/7	00	27	23
	65/1	00	00	32
	66/12	00	19	69
	66/13ए	00	08	53
	66/13बी	00	07	28
	66/13सी	00	08	36
	66/3	00	35	74
	68/4	00	16	50
	68/3	00	00	63
	68/2सी	00	07	09
	68/2बी	00	07	56
	68/1	00	10	11
	सर्वे न. 67 में नाला	00	08	98
	सर्वे न. 93 में नाला	00	01	57
	121/6	00	00	79
	118/4	00	18	10
	117/6	00	44	50
	115/1	00	26	42
	115/4ई	00	05	19

1	2	3	4	5
2) ओरुतडु (निरंतर)	115/4सी	00	16	21
	115/4बी	00	15	57
	114/1	00	15	42
	114/2	00	17	86
	112/5ए	00	00	16
	112/9	00	02	73
	112/10	00	02	00
	111/1	00	22	43
	111/2ए	00	13	42
	111/2सी1	00	16	46
	112/11	00	00	66
	सर्वे न. 111/3 में रास्ता	00	01	71
	110/1	00	02	09
	110/18	00	03	08
	110/8ए	00	04	96
	110/11सी	00	06	63
	110/8बी	00	00	63
	110/11बी	00	01	27
	110/17बी	00	04	18
	110/17सी	00	01	25
	110/17डी1	00	08	61
	110/17डी2	00	18	93
	109/3बी	00	08	42
	109/4	00	05	98
	109/5बी	00	02	67
	109/5ए	00	06	88
	109/8	00	05	27
	109/9	00	04	57
	109/10	00	04	73
	109/12ए	00	16	56
	109/11*	00	02	72
	134/1बी	00	02	04
	134/4बी	00	12	33
	134/7ए	00	03	75
	134/8	00	08	57
	134/7बी	00	03	75
	134/13ए1	00	09	75
	134/13बी1	00	00	43
	134/13बी2	00	00	60
	134/13ए2	00	02	33
	135/3	00	10	34
	135/4ए	00	05	34

1	2	3	4	5
2) ओस्ताटु (निरंतर)	135/4वी	00	00	90
	सर्वे न. 137 में नाला	00	17	49
	138/1	00	07	63
	138/2	00	10	97
	138/4ए	00	11	26
	138/5	00	02	89
	138/6	00	07	63
	138/7	00	08	35
	138/8	00	07	51
	138/9	00	08	61
	138/10	00	01	28
	138/11	00	01	01
	162/1	00	01	09
	सर्वे न. 165 में नाला	00	10	41
	सर्वे न. 136 में नाला	00	17	64
	166/2	00	06	49
	166/4	00	05	89
	166/6	00	08	64
	166/12	00	07	60
	166/11	00	03	53
	166/10	00	01	70
	166/9सी	00	04	06
	166/9वी	00	02	58
	166/15	00	06	93
	168/1ई	00	12	26
	168/1एफ	00	05	24
	168/1डी	00	05	90
	168/7	00	00	19
	168/6ए1	00	26	38
	168/6ए2	00	03	80
	168/6सी	00	05	20
	168/6वी	00	07	94
	168/2	00	03	28
	169/11	00	05	59
	169/14	00	03	64
	169/9ए	00	12	19
	169/12	00	08	68
	169/15	00	04	40
	170/9	00	04	77
	170/8	00	08	41
	170/10	00	01	59
	170/5जी	00	02	05

1	2	3	4	5
2) ओल्तदु (निरंतर)	170/5एच	00	03	33
	170/5आड	00	05	21
	170/5जे	00	02	67
	170/4ई	00	02	79
	171/3बी	00	08	25
	171/4डी	00	05	44
	171/4सी	00	20	06
	171/4वी	00	00	87
	171/8ए	00	05	13
	171/5	00	26	77
	171/7	00	00	32
3) मलयागौन्डनपट्टी	7	00	01	30
	6	00	70	74
	8	00	29	25
	सर्वे न. 10 में रास्ता	00	06	41
	12	00	36	00
	13	00	35	04
	14	00	27	98
	15	00	37	27
	18	00	02	53
	17	00	38	25
	58	00	03	70
	45	00	28	44
	46	00	48	07
	49	00	05	47
	48	00	09	51
	51	00	69	51
	83	00	29	01
	82	00	19	26
	81	00	46	98
	78	00	31	37
	102	00	08	04
	100	00	00	47
	109/1	00	00	31
	109/2	00	02	84
	109/3	00	00	44
	109/6ए	00	02	06
	109/6बी	00	07	41
	108/2	00	03	28
	109/8	00	06	10
	108/13ए	00	03	90
	108/13बी	00	03	59

1	2	3	4	5
3) मलयागौन्डनपट्टी (निरंतर)	108/3	00	00	10
	108/12	00	05	27
	108/14	00	19	60
	109/9सी	00	00	12
	सर्वे न. 106 में रास्ता	00	02	18
	सर्वे न. 110 में रास्ता	00	05	80
	120/5ए	00	01	10
	120/5बी	00	04	23
	120/5सी	00	06	27
	120/10	00	00	10
	120/9	00	11	58
	120/12	00	06	39
	120/13	00	02	93
	120/14	00	00	10
	120/15	00	03	03
	120/16	00	00	84
	121	00	00	60
	140/3	00	08	22
	140/4ए	00	05	10
	140/4बी	00	03	26
	140/6	00	12	91
	140/8	00	13	52
	140/11	00	11	50
	139	00	17	35
	146/1	00	22	64
	137/7	00	02	36
	146/4	00	16	84
	146/5	00	18	01
	145/1	00	05	86
	145/2	00	02	84
	147/1सी	00	00	10
	147/5	00	08	50
	147/7	00	06	59
	147/6	00	11	40
	147/8	00	00	18
	147/17	00	05	33
	147/18	00	21	98
	148/1	00	03	83
	सर्वे न. 150/8 में नाला	00	00	76
	150/7	00	01	50
	150/9	00	02	74
	150/10	00	04	07

1	2	3	4	5
3) मलयागौन्डनपट्टी (निरंतर)	150/11	00	08	63
	150/12	00	09	46
	149/1ए	00	00	49
	149/12	00	02	15
	149/11	00	00	56
	149/13	00	06	78
	149/10	00	10	10
	149/8	00	03	79
	149/6	00	00	32
	149/15	00	02	38
	149/16	00	04	83
	149/17	00	02	83
	149/18	00	00	10
	161/6	00	02	11
	161/7बी	00	07	68
	161/7सी	00	07	55
	161/7डी	00	09	07
	161/8ई	00	06	88
	161/8एफ	00	04	06
	161/9	00	02	39
	162/5	00	08	79
	162/6ए	00	12	89
	162/6बी	00	12	55
	163/12	00	29	22
	163/13	00	04	18
	164/11	00	00	98
	164/12	00	05	04
	164/13	00	03	90
	164/14	00	05	69
	सर्वे न. 197 में नाला	00	09	74
	सर्वे न. 196 में नाला	00	02	90
	195/1	00	24	41
	195/2	00	17	51
	195/3	00	06	72
	195/4ए	00	04	22
	195/4बी1	00	19	31
	195/4बी2	00	09	60
	194/11ए	00	02	19
	194/13ए	00	05	62
	194/11बी	00	00	18
	194/13बी	00	06	62
	194/13सी	00	04	21

1	2	3	4	5
3) मलयागौडनपट्टी (निरंतर)	194/13डी	00	01	51
	194/14आड	00	00	10
4) कुत्तलकुडु	157	00	38	43
	146	00	77	81
	145	00	07	74
	144/4ए	00	03	28
	144/4बी	00	43	73
	144/4सी	00	02	89
	134/4	00	01	20
	134/5ए	00	22	39
	134/6	00	00	28
	134/5बी	00	22	67
	134/9	00	06	49
	134/8	00	14	34
	138	00	03	53
	133/4	00	07	02
	133/6	00	12	17
	133/3	00	01	95
	133/2	00	03	97
	131/1	00	11	11
	131/2	00	09	71
	131/3	00	06	98
	131/8	00	24	29
	131/9	00	11	84
	131/10	00	08	91
	130/5	00	01	26
	123/2ए	00	00	10
	124/1	00	27	87
	124/2	00	00	21
	123/5	00	12	95
	123/6	00	05	10
	123/7	00	02	32
	123/8	00	16	51
	121/6	00	29	32
	121/7	00	27	28
	117/5	00	05	15
	117/6ए	00	12	77
	117/7	00	02	64
	117/8	00	01	91
	114	00	15	90
	116/6	00	06	00
	116/7	00	00	38



1	2	3	4	5
4) कुत्तलकुन्डु (निरंतर)	115	00	28	21
	107	00	55	08
	98	00	86	99
	96	00	02	71
	76	00	32	80
	सर्वे न. 86 में नाला	00	05	12
	88	00	30	89
	84	00	29	67
	82	00	56	02
	80	00	12	05
	81	00	53	08
5) पल्लापट्टी	31/1सी	00	01	42
	31/1डी	00	03	54
	31/1ई	00	03	61
	31/1एफ	00	01	32
6) मट्टापाराय	85	00	29	73
	71	00	15	67
	59	00	19	10
	58	00	29	32
	60	00	15	98
	6	00	83	44
	7	00	01	91
	5	00	21	93
	4	00	08	84
	1	00	11	71
7) रामराजपुरम	183ए/3	00	00	10
	183ए/1	00	15	82
	183ए/2	00	04	74
	सर्वे न. 236 में रास्ता	00	04	05
	183बी/2	00	16	54
	183बी/3ए	00	13	58
	183बी/3बी	00	09	49
	183बी/3सी	00	03	56
	185/3ए	00	00	10
	185/3बी	00	03	11
	185/3डी	00	15	49
	185/3डी	00	11	02
	185/4ए	00	14	53
	185/4बी	00	17	69
	185/8	00	10	77
	185/5ए	00	05	08
	185/5बी	00	00	50

1	2	3	4	5
7) रामराजपुरम (निरंतर)	191/2	00	06	34
	191/3	00	13	43
	192/1	00	12	59
	192/2	00	14	22
	192/5	00	14	26
	192/4	00	00	11
	180	00	42	68
	177/2	00	10	40
	177/3	00	15	28
	177/6	00	13	71
	195/3	00	04	69
	195/1ए	00	04	60
	195/5	00	06	25
	215/1	00	10	57
	215/2ए	00	04	51
	220/1	00	07	52
	215/2बी	00	00	10
	218/1ए1	00	15	67
	218/1ए2	00	08	49
	218/3	00	00	36
	216/1ए	00	09	85
	216/1बी	00	11	54
	216/3	00	11	69
	217/2	00	00	10
	216/2	00	07	67
	217/3	00	04	59
	214/3ए	00	06	32
	214/3बी	00	11	72
	213/1	00	07	74
	212/1	00	05	67
	212/2	00	05	01
	212/10ए	00	07	96
	212/3	00	04	35
	212/13	00	07	22
	212/14	00	04	47
	212/15ए	00	01	28
	212/15बी1	00	03	58
	212/15बी2	00	00	87
	212/16बी1	00	00	10
	212/16बी2	00	13	46
	212/6बी1	00	00	10
	212/6बी2	00	04	73

1	2	3	4	5
7) रामराजपुरम (निरंतर)	212/7वी	00	00	10
	212/5	00	03	26
	205	00	43	49
	210/1	00	03	21
	210/2	00	01	49
	206	00	05	41
	207/2	00	06	63
	209/1	00	03	94
	209/2	00	01	48
	208/1	00	00	10
	208/2	00	00	59

[फा सं. एल.- 14014/94/2010 जी.पी.]

स्नेह प्रभा मदान, अव्वर सचिव

New Delhi, the 3rd December, 2010

S. O. 3008.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamil Nadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri.S.Rajamanickam, Competent Authority, Relogistics Infrastructure Limited, No. 9D/6D Ramakrishnapuram, Opp.Pillayar Kovil, Karur – 639 001, Tamil Nadu State.

## Schedule

Taluk:Athoor		District:Dindigul		State:Tamil Nadu	
Village	Survey No./Sub-Division	Area to be acquired for RoU			
		Hec	Are	C-Are	
1	2	3	4	5	
1) Ambathurai	61/1	00	18	11	
	61/2B	00	07	51	
	62/2A	00	08	37	
	62/2B	00	07	91	
	62/2C	00	07	74	
	63	00	01	43	
	70/1	00	12	63	
	70/2	00	03	84	
	69/2A	00	03	30	
	69/2B	00	13	37	
	69/2C	00	01	46	
	68	00	22	72	
	78/1A1	00	02	36	
	78/2A	00	15	26	
	79	00	01	57	
	81/6A1	00	23	48	
	80	00	12	01	
	81/8	00	31	78	
	81/9	00	26	15	
	81/10B	00	00	38	
	81/11A	00	03	01	
	81/11B	00	03	12	
	83/1A2	00	05	16	
	Road in Survey No. 152	00	04	15	
	151	00	07	42	
	150/1	00	58	88	
	150/2	00	00	13	
	145	00	36	42	
	146	00	20	45	
	134/2	00	08	37	
	134/1	00	15	64	
	135/1	00	28	24	
	135/2	00	15	54	
	136	00	70	16	
	Road in Survey No. 374	00	05	32	
	363/1B1B	00	00	86	
	363/1B1A	00	04	61	

1	2	3	4	5
1) Ambathurai (Contd)	363/2A	00	03	84
	363/2B	00	00	52
	363/3A	00	09	41
	364	00	21	10
	366	00	54	34
	361/1	00	05	57
	361/6A	00	06	21
	361/5	00	23	51
	360/3A	00	00	86
	355/1A	00	06	04
	355/1B	00	10	63
	360/4	00	02	85
	355/3	00	06	15
	355/2	00	00	94
	354/3	00	23	77
	354/7	00	09	07
	354/8	00	08	05
	354/9	00	09	05
	345/1	00	13	10
	345/2B	00	03	88
	345/2A	00	08	98
	345/6	00	24	52
	344	00	00	97
	345/8	00	06	02
	345/9A	00	16	79
	345/10A	00	12	38
	346	00	22	23
	343/11	00	03	73
	343/10	00	06	13
	341/1	00	10	70
	343/9	00	07	66
	342/1	00	05	87
	342/2	00	03	62
	342/3	00	04	69
	341/2	00	00	22
	342/4	00	17	30
	340/1	00	17	43
	340/2B	00	12	96
	340/2D	00	08	66
	340/2F	00	01	80
	340/2C	00	03	98
	340/3	00	09	51

1	2	3	4	5
1) Ambathurai (Contd)	339	00	10	76
	338/1	00	23	75
	338/3	00	03	22
	335/1A1	00	04	64
	Railway In Survey No. 336	00	25	20
	332	00	26	54
	336	00	15	37
	331	00	24	30
	330/1B	00	00	15
	329	00	02	31
	330/2	00	04	31
	330/1C	00	01	59
	330/4	00	27	26
	330/5	00	08	72
	298	00	07	71
	297/2B	00	16	89
	297/2C	00	00	29
	297/2A	00	02	29
	297/2D	00	10	09
	297/3A	00	07	03
	Nala in Survey No. 296	00	04	25
	295/1C	00	07	58
	300	00	34	06
	295/1D	00	00	34
	295/1E	00	00	10
	295/1F	00	00	33
	295/2F	00	05	76
	295/2G	00	04	80
	295/2I	00	01	91
	295/2H	00	02	93
	295/3B	00	09	99
	295/4A	00	06	36
	295/4B	00	05	74
	Road in Survey No. 294	00	06	71
	270/1	00	15	01
	270/3	00	17	83
	270/5A1	00	09	91
	270/5A2	00	08	41
	271/3	00	03	45
	271/4	00	13	83
<b>Taluk:Nilakottai</b>				
<b>District:Dindigul</b>				
<b>State:Tamil Nadu</b>				
1) Jambutharikottai	119/1C	00	05	08
	119/1B	00	03	57

1	2	3	4	5
1) Jambutharikottai (Contd)	119/1E	00	00	10
	119/1D	00	05	74
	119/2E	00	03	17
	119/2B	00	04	00
	119/2C	00	02	67
	119/2D	00	06	12
	120/6A	00	04	86
	Road in Survey No. 120/7	00	02	78
	177/5B	00	21	50
	177/5A	00	00	31
	177/8A	00	05	04
	177/7B	00	01	50
	177/7A	00	08	89
	177/8B	00	02	22
	177/10A	00	08	84
	177/10C	00	04	71
	177/10B	00	01	15
	177/11	00	02	03
	118	00	59	34
	125/1	00	14	32
	125/5	00	02	84
	125/6	00	01	85
	125/9A	00	01	32
	125/7	00	00	10
	125/8	00	23	03
	125/10	00	07	18
	125/11	00	13	21
	125/12	00	00	10
	105/1	00	02	55
	105/7B	00	00	86
	105/7A	00	10	77
	105/6A	00	12	63
	105/6B	00	10	56
	105/4A	00	00	10
	105/5	00	19	09
	105/9	00	00	39
	102/8	00	07	78
	102/7A	00	00	24
	102/7B	00	04	12
	102/7C	00	03	73
	102/9	00	00	10
	102/11A	00	01	00

1	2	3	4	5
1) Jambutharikottai (Contd)	102/6	00	16	11
	101/3	00	10	87
	101/4	00	05	95
	101/5	00	01	09
	89	00	77	71
	81/1	00	23	89
	81/2	00	18	18
	81/7	00	12	46
	81/9	00	06	33
	84/3	00	04	27
	84/4	00	04	40
	84/6	00	05	26
	84/15B1	00	12	96
	84/15B2	00	02	32
	84/15B3	00	14	12
	83/1	00	00	65
	83/15	00	00	64
	84/16	00	05	91
	83/12	00	00	10
	83/13A	00	07	81
	85/7	00	06	18
	85/4	00	00	87
	85/5	00	08	40
	85/6	00	72	43
	85/9A	00	01	72
	85/9B	00	03	54
	Road in Survey No. 282	00	06	33
	85/13A	00	00	28
	85/13B	00	04	81
	85/12	00	00	10
	85/13C	00	10	46
	85/14A2	00	09	62
	85/14A3	00	07	39
	85/14C	00	00	31
	283	00	21	95
	284/1A1	00	14	64
	284/1A5	00	00	42
	284/1A4	00	04	48
	284/1B5	00	01	84
	284/1A6	00	00	71
	284/1B6	00	00	60
	284/1B4	00	21	23



1	2	3	4	5
1) Jambutharikottai (Contd)	284/1B3	00	01	81
	284/1B8	00	18	84
	292/3C	00	19	05
	292/4	00	01	32
	292/5	00	01	79
	292/6	00	01	90
	292/7	00	01	89
	292/9	00	02	99
	292/10	00	03	12
	292/11	00	02	65
	292/12	00	02	68
	292/15	00	04	53
	292/14	00	00	10
	292/16	00	05	57
	292/17	00	00	10
	292/19	00	07	22
	292/20	00	05	65
	293/1	00	23	88
	293/2	00	12	20
	293/3J	00	05	85
	293/3K	00	03	75
	293/3I	00	02	33
	293/3L	00	07	15
	293/3M	00	00	22
	293/3N	00	13	18
	293/3O	00	06	05
	293/3P	00	00	74
	Nala in Survey No. 262	00	00	71
	Road in Survey No. 261	00	13	86
	263/2B	00	11	71
	263/3A	00	11	93
	263/3E	00	00	10
	263/3B	00	04	41
	263/3C	00	02	79
	263/3D	00	07	78
	259/1A	00	01	22
	259/4A	00	15	09
	259/4B	00	01	60
	259/3A	00	06	04
	259/3B	00	05	05
	259/3C	00	03	54
	259/6	00	04	77

1	2	3	4	5
1) Jambutharikottai (Contd)	306/1	00	16	17
	306/2	00	24	72
	306/3	00	15	59
	306/4	00	16	68
	307/7	00	15	37
	307/8	00	16	94
	Nala in Survey No. 311	00	07	68
	312/3	00	30	50
	320/2	00	15	08
	320/3A	00	14	24
	312/4	00	01	17
	320/3B1	00	10	96
	320/4	00	05	19
	320/1B	00	07	53
	320/5A	00	08	24
	320/8	00	14	69
	319/2	00	20	44
	319/3	00	00	37
	319/4	00	15	32
	319/6	00	13	26
	575	00	53	36
	576/6	00	04	28
	576/7A	00	10	29
	577/1A	00	08	73
	577/13	00	02	46
	577/7A	00	07	71
	577/6A	00	05	96
	577/6B	00	10	11
	577/5	00	00	45
	577/9	00	01	86
	577/8	00	09	51
	577/10	00	06	40
	577/11	00	11	79
	578/1	00	43	42
	578/8	00	20	62
2) Oruthattu	41/3	00	00	10
	41/4	00	01	14
	41/11	00	02	13
	42/1	00	14	51
	43/1A	00	32	17
	43/2	00	00	41
	43/1B	00	03	69

1	2	3	4	5
2) Oruthattu (Contd)	43/3A	00	00	34
	43/3B	00	03	93
	43/4	00	23	85
	43/7B3	00	03	73
	Nala in Survey No. 43/8	00	08	43
	44/6	00	00	53
	44/8	00	02	89
	44/9	00	13	19
	44/10	00	06	74
	60/8	00	00	60
	Road in Survey No. 44/11	00	01	13
	59/12	00	00	57
	Road in Survey No. 60/10	00	01	47
	60/12	00	20	62
	59/1	00	09	92
	60/9	00	53	79
	57/4	00	04	74
	57/5	00	17	40
	57/6	00	05	04
	57/8	00	12	63
	Road in Survey No. 55/1	00	03	24
	Road in Survey No. 56	00	00	10
	64/6	00	05	82
	64/7	00	27	23
	65/1	00	00	32
	66/12	00	19	69
	66/13A	00	08	53
	66/13B	00	07	28
	66/13C	00	08	36
	66/3	00	35	74
	68/4	00	16	50
	68/3	00	00	63
	68/2C	00	07	09
	68/2B	00	07	56
	68/1	00	10	11
	Nala in Survey No. 67	00	08	98
	Nala in Survey No. 93	00	01	57
	121/6	00	00	79
	118/4	00	18	10
	117/6	00	44	50
	115/1	00	26	42
	115/4E	00	05	19

1	2	3	4	5
2) Oruthattu (Contd)	115/4C	00	16	21
	115/4B	00	15	57
	114/1	00	15	42
	114/2	00	17	86
	112/5A	00	00	16
	112/9	00	02	73
	112/10	00	02	00
	111/1	00	22	43
	111/2A	00	13	42
	111/2C1	00	16	46
	112/11	00	00	66
	Road in Survey No. 111/3	00	01	71
	110/1	00	02	09
	110/18	00	03	08
	110/8A	00	04	96
	110/11C	00	06	63
	110/8B	00	00	63
	110/11D	00	01	27
	110/17B	00	04	18
	110/17C	00	01	25
	110/17D1	00	08	61
	110/17D2	00	18	93
	109/3B	00	08	42
	109/4	00	05	98
	109/5B	00	02	67
	109/5A	00	06	88
	109/8	00	05	27
	109/9	00	04	57
	109/10	00	04	73
	109/12A	00	16	56
	109/11B	00	02	72
	134/1A	00	02	04
	134/4B	00	12	33
	134/7A	00	03	75
	134/8	00	08	57
	134/7B	00	03	75
	134/13A1	00	09	75
	134/13B1	00	00	43
	134/13B2	00	00	60
	134/13A2	00	02	33
	135/3	00	10	34
	135/4A	00	05	34

1	2	3	4	5
2) Oruthattu (Contd)	135/4B	00	00	90
	Nala in Survey No. 137	00	17	49
	138/1	00	07	63
	138/2	00	10	97
	138/4A	00	11	26
	138/5	00	02	89
	138/6	00	07	63
	138/7	00	08	35
	138/8	00	07	51
	138/9	00	08	61
	138/10	00	01	28
	138/11	00	01	01
	162/1	00	01	09
	Nala in Survey No. 165	00	10	41
	Nala in Survey No. 136	00	17	64
	166/2	00	06	49
	166/4	00	05	89
	166/6	00	08	64
	166/12	00	07	60
	166/11	00	03	53
	166/10	00	01	70
	166/9C	00	04	06
	166/9B	00	02	58
	166/15	00	06	93
	168/1E	00	12	26
	168/1F	00	05	24
	168/1D	00	05	90
	168/7	00	00	19
	168/6A1	00	26	38
	168/6A2	00	03	80
	168/6C	00	05	20
	168/6B	00	07	94
	168/2	00	03	28
	169/11	00	05	59
	169/14	00	03	64
	169/9A	00	12	19
	169/12	00	08	68
	169/15	00	04	40
	170/9	00	04	77
	170/8	00	08	41
	170/10	00	01	59
	170/5G	00	02	05

1	2	3	4	5
2) Oruthattu (Contd)	170/5H	00	03	33
	170/5I	00	05	21
	170/5J	00	02	67
	170/4E	00	02	79
	171/3B	00	08	25
	171/4D	00	05	44
	171/4C	00	20	06
	171/4B	00	00	87
	171/8A	00	05	13
	171/5	00	26	77
	171/7	00	00	32
3) Malayagoundanpatti	7	00	01	30
	6	00	70	74
	8	00	29	25
	Road in Survey No. 10	00	06	41
	12	00	36	00
	13	00	35	04
	14	00	27	98
	15	00	37	27
	18	00	02	53
	17	00	38	25
	58	00	03	70
	45	00	28	44
	46	00	48	07
	49	00	05	47
	48	00	09	51
	51	00	69	51
	83	00	29	01
	82	00	19	26
	81	00	46	98
	78	00	31	37
	102	00	08	04
	100	00	00	47
	109/1	00	00	31
	109/2	00	02	84
	109/3	00	00	44
	109/6A	00	02	06
	109/6B	00	07	41
	108/2	00	03	28
	109/8	00	06	10
	108/13A	00	03	90
	108/13B	00	03	59

1	2	3	4	5
3) Malayagoundanpatti (Contd)	108/3	00	00	10
	108/12	00	05	27
	108/14	00	19	60
	109/9C	00	00	12
	Road in Survey No. 106	00	02	18
	Road in Survey No. 110	00	05	80
	120/5A	00	01	10
	120/5B	00	04	23
	120/5C	00	06	27
	120/10	00	00	10
	120/9	00	11	58
	120/12	00	06	39
	120/13	00	02	93
	120/14	00	00	10
	120/15	00	03	03
	120/16	00	00	84
	121	00	00	60
	140/3	00	08	22
	140/4A	00	05	10
	140/4B	00	03	26
	140/6	00	12	91
	140/8	00	13	52
	140/11	00	11	50
	139	00	17	35
	146/1	00	22	64
	137/7	00	02	36
	146/4	00	16	84
	146/5	00	18	01
	145/1	00	05	86
	145/2	00	02	84
	147/1C	00	00	10
	147/5	00	08	50
	147/7	00	06	59
	147/6	00	11	40
	147/8	00	00	18
	147/17	00	05	33
	147/18	00	21	98
	148/1	00	03	83
	Nala in Survey No. 150/8	00	00	76
	150/7	00	01	50
	150/9	00	02	74
	150/10	00	04	07

1	2	3	4	5
3) Malayagoundanpatti (Contd)	150/11	00	08	63
	150/12	00	09	46
	149/1A	00	00	49
	149/12	00	02	15
	149/11	00	00	56
	149/13	00	06	78
	149/10	00	10	10
	149/8	00	03	79
	149/6	00	00	32
	149/15	00	02	38
	149/16	00	04	83
	149/17	00	02	83
	149/18	00	00	10
	161/6	00	02	11
	161/7B	00	07	68
	161/7C	00	07	55
	161/7D	00	09	07
	161/8E	00	06	88
	161/8F	00	04	06
	161/9	00	02	39
	162/5	00	08	79
	162/6A	00	12	89
	162/6B	00	12	55
	163/12	00	29	22
	163/13	00	04	18
	164/11	00	00	98
	164/12	00	05	04
	164/13	00	03	90
	164/14	00	05	69
	Nala in Survey No. 197	00	09	74
	Nala in Survey No. 196	00	02	90
	195/1	00	24	41
	195/2	00	17	51
	195/3	00	06	72
	195/4A	00	04	22
	195/4B1	00	19	31
	195/4B2	00	09	60
	194/11A	00	02	19
	194/13A	00	05	62
	194/11B	00	00	18
	194/13B	00	06	62
	194/13C	00	04	21



1	2	3	4	5
3) Malayagoundanpatti (Contd)	194/13D	00	01	51
	194/14I	00	00	10
4) Kuttalkundu	157	00	38	43
	146	00	77	81
	145	00	07	74
	144/4A	00	03	28
	144/4B	00	43	73
	144/4C	00	02	89
	134/4	00	01	20
	134/5A	00	22	39
	134/6	00	00	28
	134/5B	00	22	67
	134/9	00	06	49
	134/8	00	14	34
	138	00	03	53
	133/4	00	07	02
	133/6	00	12	17
	133/3	00	01	95
	133/2	00	03	97
	131/1	00	11	11
	131/2	00	09	71
	131/3	00	06	98
	131/8	00	24	29
	131/9	00	11	84
	131/10	00	08	91
	130/5	00	01	26
	123/2A	00	00	10
	124/1	00	27	87
	124/2	00	00	21
	123/5	00	12	95
	123/6	00	05	10
	123/7	00	02	32
	123/8	00	16	51
	121/6	00	29	32
	121/7	00	27	28
	117/5	00	05	15
	117/6A	00	12	77
	117/7	00	02	64
	117/8	00	01	91
	114	00	15	90
	116/6	00	06	00
	116/7	00	00	38

1	2	3	4	5
4) Kuttalkundu (Contd)	115	00	28	21
	107	00	55	08
	98	00	86	99
	96	00	02	71
	76	00	32	80
	Nala in Survey No. 86	00	05	12
	88	00	30	89
	84	00	29	67
	82	00	56	02
	80	00	12	05
	81	00	53	08
5) Pallapatti	31/1C	00	01	42
	31/1D	00	03	54
	31/1E	00	03	61
	31/1F	00	01	32
6) Mattapparai	85	00	29	73
	71	00	15	67
	59	00	19	10
	58	00	29	32
	60	00	15	98
	6	00	83	44
	7	00	01	91
	5	00	21	93
	4	00	08	84
	1	00	11	71
7) Pararajapuram	183A/3	00	00	10
	183A/1	00	15	82
	183A/2	00	04	74
	Road in Survey No. 236	00	04	05
	183B/2	00	16	54
	183B/3A	00	13	58
	183B/3B	00	09	49
	183B/3C	00	03	56
	185/3A	00	00	10
	185/3B	00	03	11
	185/3C	00	15	49
	185/3D	00	11	02
	185/4A	00	14	53
	185/4B	00	17	69
	185/8	00	10	77
	185/5A	00	05	08
	185/5B	00	00	50

1	2	3	4	5
7) Ramarajpuram (Contd)	191/2	00	06	34
	191/3	00	13	43
	192/1	00	12	59
	192/2	00	14	22
	192/5	00	14	26
	192/4	00	00	11
	180	00	42	68
	177/2	00	10	40
	177/3	00	15	28
	177/6	00	13	71
	195/3	00	04	69
	195/1A	00	04	60
	195/5	00	06	25
	215/1	00	10	57
	215/2A	00	04	51
	220/1	00	07	52
	215/2B	00	00	10
	218/1A1	00	15	67
	218/1A2	00	08	49
	218/3	00	00	36
	216/1A	00	09	85
	216/1B	00	11	54
	216/3	00	11	69
	217/2	00	00	10
	216/2	00	07	67
	217/3	00	04	59
	214/3A	00	06	32
	214/3B	00	11	72
	213/1	00	07	74
	212/1	00	05	67
	212/2	00	05	01
	212/10A	00	07	96
	212/3	00	04	35
	212/13	00	07	22
	212/14	00	04	47
	212/15A	00	01	28
	212/15B1	00	03	58
	212/15B2	00	00	87
	212/16B1	00	00	10
	212/16B2	00	13	46
	212/6B1	00	00	10
	212/6B2	00	04	73

1	2	3	4	5
7) Ramarajpuram (Contd)	212/7B	00	00	10
	212/5	00	03	26
	205	00	43	49
	210/1	00	03	21
	210/2	00	01	49
	206	00	05	41
	207/2	00	06	63
	209/1	00	03	94
	209/2	00	01	48
	208/1	00	00	10
	208/2	00	00	59

[F. No. L-14014/94/2010-GP]  
SNEH P. MADAN, Under Secy

नई दिल्ली, 9 दिसम्बर, 2010

का. आ. 3009.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा (गुजराज) से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्रीमती आशु चौधरी, सक्षम अधिकारी, मुन्द्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन परियोजना, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, डी-7 लालबहादुर नगर ( पूर्व ), क्लार्क्स आमेर होटल के सामने, जवाहरलाल नेहरू मार्ग, मालवीय नगर, जयपुर-302017 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसिल: विराटनगर			जिला: जयपुर		राज्य: राजस्थान
क्र. सं.	गाँव का नाम	खसरा नं.	क्षेत्रफल		
			हेक्टेअर	एयर	वर्गमीटर
1	2	3	4	5	6
1	जयसिंहपुरा	1457	0	06	36
		1455	0	00	19
		1447	0	00	36
		1434	0	00	28

[फा. सं. आर-31015/58/2004 ओ.आर. II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 9th December, 2010

S. O. 3009.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Mundra (Gujarat) to Delhi, a pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Ms. Ashu Choudhary, Competent Authority, Mundra-Delhi Petroleum Product Pipeline Project, Hindustan Petroleum Corporation Limited, D-7, Lal Bahadur Nagar (East), Opp. Clarks Amer Hotel, Jawaharlal Nehru Marg, Malviya Nagar, Jaipur - 302017 (Rajasthan)

**Schedule****Tehsil: VIRATNAGAR****District: JAIPUR****State: RAJASTHAN**

Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
1	JAISINGHPURA.	1457	0	06	36
		1455	0	00	19
		1447	0	00	36
		1434	0	00	28

[F. No. R-31015/58/2004-O R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 9 दिसम्बर, 2010

का. आ. 3010.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मुन्द्रा (गुजराज) से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में, जो इससे उपाबद्ध अनुसूची में वर्णित है, जिसमें उक्त पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना से युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के अर्जन के सम्बन्ध में श्रीमती आशु चौधरी, सक्षम अधिकारी, मुन्द्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन परियोजना, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, डी-7 लालबहादुर नगर (पूर्व), क्लार्क्स आमेर होटल के सामने, जवाहरलाल नेहरू मार्ग, मालवीय नगर, जयपुर-302017 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

### अनुसूची

तहसिल: जयपुर			जिला: जयपुर		राज्य: राजस्थान
क्र. सं.	गाँव का नाम	खसरा नं.	क्षेत्रफल		
			हेक्टेअर	एयर	वर्गमीटर
1	2	3	4	5	6
1	नारीकाबास	33	0	01	07
		47 (स. चारागाह)	0	01	42
2	लालचन्दपुरा	1	0	10	16
		2	0	01	20
3	बावड़ी	76	0	01	54
4	सिंवार	64	0	03	09
		227	0	01	98
5	मांचवा	382	0	03	48
		228	0	03	93
		225	0	01	78

New Delhi, the 9th December, 2010

S. O. 3010.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum from Mundra (Gujarat) to Delhi, a pipeline should be laid by Hindustan Petroleum Corporation Limited;

And whereas it appears to the Central Government that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed hereto;

Now, therefore, in exercise of powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule, may, within twenty one days from the date on which copies of the Gazette of India containing this notification are made available to the public, object in writing to the acquisition of the right of user therein for laying of the pipeline under the land to Ms. Ashu Choudhary, Competent Authority, Mundra-Delhi Petroleum Product Pipeline Project, Hindustan Petroleum Corporation Limited, D-7, Lal Bahadur Nagar (East), Opp. Clarks Amer Hotel, Jawaharlal Nehru Marg, Malviya Nagar, Jaipur - 302017 (Rajasthan)

### Schedule

Tehsil: JAPUR		District: JAIPUR		State: RAJASTHAN	
Sr. No.	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
1	NARIKAWAS	33	0	01	07
		47 (G/L Pasture)	0	01	42
2	LALCHANDPURA	1	0	10	16
		2	0	01	20
3	BAVADI	76	0	01	54
4	SINWAR	64	0	03	09
		227	0	01	98
5	MANCHAWA	382	0	03	48
		228	0	03	93
		225	0	01	78



**श्रम एवं रोजगार मंत्रालय**

नई दिल्ली, 10 नवम्बर, 2010

का.आ. 3011.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी. सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 191/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2010 को प्राप्त हुआ था।

[सं. एल-20012/42/2000-आईआर(सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

**MINISTRY OF LABOUR AND EMPLOYMENT**

New Delhi, the 10th November, 2010

S.O. 3011. —In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.191/2000) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 10-11-2010.

[No. L-20012/42/2000-IR(C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

**ANNEXURE****BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD**

PRESENT: Shri H.M. SINGH, Presiding Officer

In the matter of an Industrial Disputes under section 10 (1) (d) of the I.D. Act, 1947.

**Reference No. 191 of 2000****Parties:**

Employers in relation to the management of M/s. B.C.C.L. and their workman.

**APPEARANCES:**On behalf of the workman : Mr. D. Mukherjee,  
AdvocateOn behalf of the employers : Mr. D. K. Verma,  
Advocate

State: Jharkhand

Industry: Coal

Dated, Dhanbad the 29-10-2010

**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under section 10 (1) (d) of the I.D. Act, 1947, has referred the following dispute to this Tribunal for adjudication vide their Order

No. L-20012/42/2000- I.R. (C-I), dated, the 29th June, 2000.

**SCHEDULE**

"Whether the action of the management of CCL Bachara Project to dismiss the workman Sri Girdhari Ganjhu w.e.f. 31-3-97 from service is proper and justified? If not, to what relief is the workman entitled?"

2. In this case of the workman as disclosed in his Written Statement is what the concerned workman Girdhari Ganjhu was initially appointed as a permanent workman on 21-4-93 against permanent vacancy and he had been working there since then regularly and continuously to the satisfaction of the management. The concerned workman was forcibly implicated in a criminal case and the local police arrested him during his duty hours and remanded him in jail custody. He also informed the management from the jail custody through letter which was duly forwarded by the Jail Superintendent to the management stating therein about his arrest and detention in jail custody with a prayer to grant him leave. The wife of the concerned workman also personally informed the management about the arrest of her husband and detention in the jail custody. Shri Sarju Thakur also informed the management by a registered letter about the arrest of the concerned workman and detention in jail custody.

3. It has been alleged on behalf of the concerned workman that though the management was fully aware of the arrest of the concerned workman till then the management with a malafide intention to remove the concerned workman from service issued him a false and frivolous chargesheet. The concerned workman was honourably acquitted in the said criminal case and after release from the jail he reported for his duty before the management but the management did not allow him to resume duty on the ground that he was dismissed for unauthorised absence from duty.

4. It has been further stated by the workman that the concerned workman never received any chargesheet nor any enquiry notice was ever served to the concerned workman. The management after holding an illegal and arbitrary ex parte enquiry dismissed the concerned workman from service. It has been alleged that the Enquiry Officer was biased and prejudiced against the concerned workman and the enquiry was also conducted in utter violation of the principles of natural justice. The concerned workman was dismissed by an authorised person in violation of the provisions of the Certified Standing Orders of the Company. The concerned workman represented before the management against the illegal and arbitrary dismissal order but without any effect.

5. It has been stated that the concerned workman seeing no other alternative moved the Hon'ble High Court, Patna at Ranchi Bench challenging the order of dismissal

which was registered as CWJC No.111/99 (R) and the Hon'ble High Court by order dated 7-7-99 directed the concerned workman to raise an industrial dispute. In pursuance of the direction of the Hon'ble High Court the concerned workman raised an industrial dispute under Section 2A of the I. D. Act, 1947 and on failure of the conciliation proceeding present reference has been made. It has been prayed on behalf of the concerned workman to pass an Award in favour of the concerned workman directing the management to reinstate him in service with full back wages and consequential benefits.

6. In the Written Statement filed on behalf of the management it has been stated by them that the reference in question is not maintainable either in law or on facts. It has been stated by the management that the concerned workman started absents from his duty from 18-7-96 unauthorisedly for which management issued a chargesheet vide Chargesheet No.PO (B) PD/Charge-sheet/11-"A"/97/963—68 dated 6-3-97 to the concerned workman. Thereafter the management conducted a Departmental Enquiry according to the Principles of Natural Justice.

7. The Enquiry Officer submitted his report holding that the concerned workman is guilty of the unauthorised absence. The Disciplinary Authority thereafter dismissed the concerned workman vide Removal Order dated 31-3-97 for his proved misconduct.

8. It has been stated on behalf of the management that the concerned workman absented from his duty without taking prior permission from the management. It has been submitted on behalf of the management to decide the fairness and propriety of the domestic enquiry as a preliminary issue and in case if it is held that the enquiry is not fair and proper management may be allowed to adduce fresh evidence to prove the misconduct of the concerned workman. It has been further submitted on behalf of the management to pass an Award holding the dismissal of the concerned workman a justified and that the concerned workman is not entitled to get any relief.

9. Both the parties have filed their respective rejoinder admitting and denying the contents of each other's Written Statement in some of the paras.

10. Before taking up the case for hearing on merit fairness and propriety of the domestic enquiry was heard as a preliminary issue in which management produced Shri J. Tiwary who has been examined as MW-1. The documents of the management have been marked as Ext. M-1 to M-6. On behalf of the workman the concerned workman Girdhari Ganjhu has been examined as WW-1 and documents on his behalf has been marked as Ext. W-1 and W-2. This Tribunal after hearing both sides and considering the materials on record held vide Order No.25 dated 21-4-2005 that the domestic enquiry conducted against the concerned workman is not at all fair and proper.

Accordingly management directed to adduce evidence on merit. On merit of the case management has produced one Sri Sarman Ram who has been examined as MW-2 who has proved document marked as Ext.W-3. On behalf of the workman concerned workman has been examined as WW-1 and one item of document has been marked as Ext.W-3.

11. Argument advanced on behalf of the concerned workman is that no notice was served to him by the management regarding start of the enquiry because he was in Jail. Neither any publication of the enquiry has been done by the management nor second show cause notice was served to the concerned workman before passing final order. He was acquitted by the Criminal Court. When he came to join he was informed by the management that he was dismissed from service.

12. In this respect the evidence of MW-1 is very much important. He is the enquiry Officer. He has stated in cross-examination "I do not know whether the concerned workman was apprehended by the police in course of performance of his duty. The concerned workman was in Jail custody during the said period." This statement of the witness MW-1 shows that the concerned workman was arrested during the course of his duty and was in Jail. So it was not possible for the concerned workman to take prior permission for leave etc. though he has sent his letter through Jail as per Ext.W-1, on 22-6-96. The concerned workman Ww-1 stated on oath that he was arrested while on duty on 16-7-96 in criminal case and he was in Jail till judgement of the case in which by Ext.W-2 he was acquitted. MW-1 in cross-examination at page-2 stated "I remember one Record/Time Keeper was examined by the management before the enquiry proceeding. It is not mentioned in my report whether any such time-keeper or record keeper was examined by the management before the enquiry proceeding. Before conducting the exparte enquiry the chargesheet or the enquiry notice was not published in any newspapers. I do not know whether any second show cause notice was sent to the concerned workman or not after the submission of my report and prior to the passing of the order of dismissal.

13. Another argument advanced on behalf of the concerned workman is that as per Ext.M-4 Enquiry Officer was appointed on 25/26-3-97 and notice has been sent by the Enquiry Officer for holding enquiry as per Ext.M-3 on 18-3-97 which shown that before he got appointment as Enquiry Officer as per Ext.M-4 on 25/26-3-97 he started enquiry as per Ext.M-3 on 18-3-97 shows malafide intention and working of the management. As per Enquiry report which has been submitted on 29-3-97 giving two days time before starting enquiry as per Ext.M-4 and within three days enquiry report Ext.M-5 was completed and in this Ext.M-5 it has been mentioned "As per information available from the records produced by M. R. it is noted

that the employee is in custody of Central Jail, Hazaribagh. He has failed either to appear in person for the enquiry or to give any reply to the charge-sheet and notices of enquiry sent to him to the prison. The letters sent to his home address have come undelivered. "This shows that letters which have been sent to his home address have come back undelivered and no notice which has been sent through Jail to the concerned workman has been filed by the management. That will show that he was not given prior notice for attending the enquiry before passing final Order. As per Ext.M-6 which is removal order of the concerned workman shows that no second show cause notice was given to him. As per Ext.W-2 the concerned workman was acquitted by the Criminal Court on 22-12-97.

14. The concerned workman has referred to a decision reported in F.J.R. Vol. XX page 91 in which the Hon'ble Supreme Court laid down the following:—

"Misconduct Domestic enquiry Proper notice of charge to workman—putting up notice on notice board or publication in newspaper—Whether sufficient notice—Proper mode of serving notice when service by registered post is not possible."

In the decision reported in 1998 LLR 1097 referred by the workman Hon'ble Supreme Court laid down the following:—

"Charge-Sheet—Service of—Sent by registered post — Returned with postal remarks 'not found' does not amount to tendering to the addressee — Cannot be legally treated to have been served.

In the decision reported in 62 S. C. 1991 as cited by the workman Hon'ble Supreme Court laid down the following:—

" 1. Constitution of India — Art. 311 (2) —After 42nd amendment — Disciplinary proceedings — Whether necessary to supply to delinquent copy of inquiry officer's report — Whether he is entitled to make any representation against the same — Whether any change is brought about by 42nd amendment — Held that supply of a copy of the inquiry report along with recommendations, if any, in the matter of proposed punishment to be inflicted would be within the rules of natural justice and the delinquent would therefore be entitled to supply of a copy thereof and that the Forty Second Amendment has not brought about any change in this position."

In the decision reported in 1983 Lab I. C. 1909 Hon'ble Supreme Court laid down the following:—

" (B) Industrial Employment (Standing Orders) Act (20 of 1946) S. 13A — Misconduct committed within the premise of the establishment or in the vicinity thereof — Connotation of — Misconduct must have casual connection with place of work and with duty

hours — Employer has no extra-territorial jurisdiction under Standing Orders to punish for misconduct."

In the decision reported in 1998 LLR 1097 as cited by the workman the Hon'ble Supreme Court laid down the following:—

" The postal endorsement not found on the cover of the envelope containing the charge-sheet sent by registered post indicated that the charge-sheet was not tendered to the respondent even by the postal authorities. It could not be legally treated to have been served as observed by the Supreme Court. The appellant should have made further efforts to serve the charge-sheet on the respondent. A single efforts, in the circumstances of the case, Court be treated as sufficient thus the initiation of the departmental proceedings was bad in law. "

In the decision reported in 2007 (112) FLR 336 as cited by the workmanside the Hon'ble Supreme Court laid down the following :—

" Departmental proceedings — Can be initiated by a person lower in rank than appointing authority. But the final order can be passed only appointing authority or higher to him."

15. MW-2 admitted this fact that the concerned workman was on duty when he was arrested on 16-7-96. He stated in cross-examination that on 16-7-96 he was on underground duty.

16. In the circumstances as discussed above it shows that the concerned workman was arrested by the Police at his working place during the course of his duty on 16-7-96 and sent to Jail and he was acquitted by the Criminal Court as per Ext.W-2. Moreover, the management has not given second show cause notice as per law laid down by the Hon'ble Supreme Court before passing final order as per Ext.M-5. There is also no any letter which has been produced by the management to prove that notice was sent to the concerned workman through Jail Authority or any publication of the notice was made in any leading newspaper. Simply the enquiry was conducted against the concerned workman very hurriedly. When the concerned workman was in Jail and arrested by police during the course of his duty it was not possible for him to take prior permission or to take leave in such circumstances. So it appears that the action of the management in dismissing the concerned workman from service is not proper and justified. In the result the following Award is rendered:—

" The action of the management of CCL, Bachara Project to dismiss the workman Sri Girdhari Ganjhu w.e.f. 31-3-97 from service is not proper and justified. Consequently, he is entitled to be reinstated in his original job from the date of his dismissal without

any back wages, However, he will be entitled continuity of service from the date of his dismissal till the date of his reinstatement with other benefits."

Management is directed to implement the Award within three months from the date of its publication in the Gazette of India in the light of the observation made above.

H.M. SINGH, Presiding Officer

नई दिल्ली, 12 नवम्बर, 2010

का.आ. 3012.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 47/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2010 को प्राप्त हुआ था।

[सं. एल-17012/36/2001-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 12th November, 2010

S.O. 3012.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 47/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of L.I.C. of India and their workmen, received by the Central Government on 10-11-2010.

[No. L-17012/36/2001-IR (B-I)]

RAMESH SINGH, Desk Officer

#### ANNEXURE

BEFORE SHRI A.N. YADAV, PRESIDING OFFICER,  
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/47/2005

Date: 24-8-2009

#### Petitioner.

Shri Bhaurao S/o Laxmanrao Anatkar,  
2/11 Hudaco Colony LIG-1,  
Behind Jaripataka Police Station,  
Nara Road,  
Nagpur.

Party No. 2

Versus

#### Respondent.

(A) The Senior Branch Manager,  
L.I.C. of India City Branch Kings Way,  
Nagpur 440006

(B) Union of India,  
Ministry of Finance,  
New Delhi - 110001

Party No. 1

#### AWARD

(Dated : 24th August, 2009)

1. The Central Government after satisfying the existence of disputes between Shri Bhaurao S/o Laxmanrao Anatkar, 2/11 Hudaco Colony LIG-1 Behind Jaripataka Police Station, Nara Road, Nagpur Party No. 2 and The Senior Branch Manager L.I.C. of India City Branch Kings Way Nagpur-440006 Party No.1 referred the same for adjudication to this Tribunal vide its letter No. L-17012/36/2001-IR (B-I) Dt. 20 May 2005 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) with the following schedule.

"Whether the action of the management of LIC of India in terminating the services of Shri Bhaurao S/o Laxmanrao Anatkar w.e.f. 6-6-2001 is justified? If not, what relief he is entitled to?"

1. The petitioner approached with the contention that he was employed as Peon by the respondent Party No.1 as peon on 6-11-1998 and without any break continued up to 6-6-2001 beside it he has also performed over-time duties for which he is paid. Thus according to him he has put more than 240 day's continuous service with out any break.

2. He was reprehended without complying the provisions of the L.I.C. service rules or of the section 25 (F) of the I.D. Act, 1947. He prayed to reinstate with full back wages.

3. The management on service of notice initially appeared on 6-7-2005 and 14-9-2005 as per roznama of the case and letter on stopped and did not appear. The management has not resisted the claim of the petitioner by filling the W. S. Consequently the claim of the petitioner remained unchallenged and practically the case proceeded ex-parte against it.

4. The crucial point for condiseration is whether the petitioner is entitled for the reinstatement as claimed by him? The petitioner examined himself by filling the affidavit the managment being absent did not even cross-examine him. The petitioner in his affidavit has stated that he worked continuously from 6-11-98 to 6-6-2001. Beside it he has also worked beyond duty hours for which he has been paid as over-time allowance. He gave the exact number of over-time hours. He also filed lists of the documents which he has handled. It contends even the maintenance of the registers. Those documents bear the signatures of the workman as well as of the officials of the management. This supports his evidence that he had worked in the office of the management L.I.C. during the period mentioned by him. It also supports his contentions regarding the working period as well as continuity in services. It clearly establishes that he worked for more than 240 days continuously without any break within a every year. Since the management L. I. C. has not filed any W. S. or its

statement of claim denying his contentions they remained unchallenged.

5. The same thing in respect of the retrenchment as well as non payment of compensation for it. There is nothing to show that the provisions of Section 25 F and G were complied. No notice was given to him before retrenchment. Nothing has been submitted as to how he was not entitled for the same. In fact his averments in the statement of claim remain undisputed due to non filling of the W. S. His evidence also remained unchallenged because of non cross examination. Consequently it has to be presumed as admitted. The provisions are obligatory and its non compliance renders the retrenchment illegal. In such circumstances as the retrenchment is illegal it will have to be treated that he was in service entitling him for back wages. Hence I hold that the workman is entitled for reinstatement as well as for back wages right from the date of retrenchment i.e. from 6-6-2001. I Pass the award in the affirmative as follows.

6. The Management is directed to reins ten the petitioner as a peon and pay the full back wages right from 6-6-2001 till the reinstatement within two months from the date of publication of this award in the gazette.

Date 24-8-09

A. N. YADAV, Presiding Officer

नई दिल्ली, 12 नवम्बर, 2010

का.आ. 3013.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 371/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2010 को प्राप्त हुआ था।

[ सं. एल-12012/420/2000-आईआर(बी-1) ]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 12th November, 2010

S.O. 3013.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (I. D. No. 371/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 10-11-2010.

[No. L-12012/420/2000-IR (B-I)]

RAMESH SINGH, Desk Officer

## ANNEXURE

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

#### Present :

Shri J. Srivastava,  
Presiding Officer, C.G.I.T.- cum-Labour  
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE No. 371/2001

Date of Passing Award 22nd October, 2010

#### Between :

The Management of the Dy. General Manager,  
State Bank of India,  
Zonal Office, Bhubaneswar,  
Orissa - 751009

....1st Party-Management

And

Their Workmen Shri Duryodhan Khuntia,  
Represented through the General Secretary,  
State Bank of India Employees Union, Bhubaneswar,  
Orissa - 751009

...2nd Party-Union

#### APPEARANCES

M/s. H. K. Mohanty, .... For the 1st Party-  
Advocate Management.

M/s. B. C. Bastia & .... For the 2nd Party-  
Associates, Advocate Union

#### AWARD

The Government of India, Ministry of Labour has referred the present dispute existing between the employers in relation to the Management of State Bank of India, Bhubaneswar, and their workman under clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act vide their Letter No. L-12012/420/2000-IR (B-I), dated 30-1-2001 to this Tribunal for adjudication to the following effect:

"Whether the action of the Management of State Bank of India, by not regularizing the service of Shri Duryodhan Khuntia in the Bank, is justified? If not, what relief the workman is entitled to?"

2. The 2nd Party-Union has filed the statement of claim in which it has been stated that the disputant Shri Duryodhan Khuntia had joined the service in July 1988 after being selected in an interview held by the Bank on 2-3-1998 as a cook-cum-canteen boy under the 1st Party-Management and is continuing on the same post till today. As per the agreement/settlement between the State Bank of India & All India State Bank of India Staff Federation



regarding take over of Bank's canteen and appointment of canteen boy, it was agreed that only those canteen staff will be considered for permanent appointment, who were engaged by Local Implementation Committee on regular basis as on 9th June 1989. As the disputant-workman had joined before the stipulated date, he was eligible for permanent absorption. But the Management has given regular appointment to juniors to him in the Bank. The workman continued in the job till 15-2-1989 but the bank suddenly asked the workman to work on daily wage basis. The workman worked as Cook-cum-Canteen boy on daily wage basis equal to permanent canteen boy from 16-2-1989 to 27-7-1994 continuously. The bank then issued him so many temporary appointment letters first being dated 27-7-1994. Since then the workman has been continuing in the service till date. The Management of State Bank of India runs the canteen under its direct control and supervision and the staff including disputant-workman are paid their wages by the Management. Thus there exists master and servant relationship between the 1st Party-Management and the disputant-workman. The work performed by the disputant-workman is perennial in nature. The disputant-workman has been working in the canteen continuously and uninterruptedly since 1994, but he is getting much less pay than his co-workers. Under a settlement made between certain banking companies and their employees on 19-10-1966 provisions for regularization of temporary employees against permanent vacancies were made. Again in the year 1992 another settlement was made between the State Bank of India and All India State Bank of India Employees Federation in which provision for taking over the staff canteen by the Bank and absorption of temporary canteen staff was made amongst other things. Pursuant to this settlement State Bank of India, Local Head Office, Bhubaneswar invited applications from the existing temporary employees for their regular absorption. The disputant-workman fulfilled all the eligibility criteria, but his case for regularization could not be considered by the Management even though some of his Juniors has been given regular appointment. The action of the 1st Party-Management in not regularizing the services of the disputant-workman is not only discriminatory, but also arbitrary and malafide. He was enlisted in the panel of selected candidates for the post of cook-cum-canteen boy in the year 1988, but the Management appointed from the new panel of non-messengerial cadre of 1993 and ignored his claim even after utilizing his service for ten years. The bank had given appointment to one Shri K. C. Mangraj in one of the increased vacancies of canteen boy wherein the disputant-workman's name was enlisted. His case differs from other temporary employees he was selected and appointed against regular vacancy. Therefore he is entitled to regularization of his services under the settled principles of law and for grant of equal pay for equal work from the date his juniors have been regularized.

3. The 1st Party-Management in its reply has stated that in order to absorb the temporary employees of various categories engaged by the Management in its branches, the Management and Staff Federation had entered into an agreement/settlement which provided criteria for consideration of eligible temporary employees for permanent appointment in the Bank. In pursuance of such settlements all eligible temporary employees were offered opportunities for permanent appointment and were called for interview in the year 1990 and 1993. The disputant-workman was called for interview held in the year 1993, but unfortunately he could not qualify in the interview and his name did not appear in 1993 panel. Panels of temporary employees were prepared on the basis of interview conducted during the years 1990 and 1993 which remained in force till 31-3-1997. After that all the panels expired and no one has any claim over the same. From these panels 140 sanctioned posts were filled in, but the disputant-workman could not qualify in the said interview. The disputant-workman then filed O.J.C. No. 4929/97 before the Hon'ble High Court of Orissa challenging inter-alia the non-regularization of his service and claiming arrears at par with regular employees from the date of his initial appointment. The above Writ Petition was heard along with a bunch of similar Writ Petitions filed by other temporary employees. The Hon'ble High Court of Orissa dismissed all the Writ Petitions by a common judgement given on 15-5-1998 in O.J.C. No. 2787/97 and upheld the action of the Management in offering appointments from both the panels. Aggrieved by the judgement of the Hon'ble High Court of Orissa, one Natabar Das approached the Hon'ble Supreme Court in S.L.P. which was also dismissed on merit. Therefore, the disputant-workman is now estopped from re-agitating the same issue of regularization of service. The engagement of the disputant-workman was purely temporary in nature and was extended from time to time. It is not a fact that the staff of all the canteens are the employees of the Bank and there exists master and servant relationship. The staff of canteen which is run by the Local Implementation Committee, is appointed by the committee. They are not the employees of the bank. The disputant-workman was appointed as a temporary cook-cum-canteen boy for 15 days vide letter dated 8-7-1988. He worked intermittently on temporary basis till 15-2-1989. The workman is put to strict proof that he worked continuously and uninterruptedly from 16-2-1989 to 27-7-1994. Since the canteen boy were decided to be non-messengerial cadre and such vacancies can be filled up from the ex-temporary employees empanelled in non-messengerial cadre in terms of settlement dated 27-10-1988 and 9-1-1991 the same were filled from empanelled employees of non-messengerial cadre. In the 1988 panel the position of the disputant-workman was at Sl. No. 10. Therefore, he could not be accommodated in the said six vacancies. The case of the disputant-workman is no way different from other temporary employees after the 1993 interview. The appointments were

made taking into account the performance in the interview and position in the panel.

4. Out of the pleadings of the parties the following issues were settled for adjudication :—

### ISSUES

1. Whether the reference is maintainable ?
2. Whether the 2nd Party-workman is eligible for regularization in the post ?
3. Whether the action of State Bank of India in not regularizing the service of the workman is legal and justified ?
4. If not, to what relief the workman is entitled ?

5. The 2nd Party-Union has examined the disputant-workman Shri Duryodhan Khuntia, as W.W.-1 and has exhibited series of documents from Ext.-1 to Ext.-7. The 1st Party-Management, on the other hand has examined two witnesses namely Shri G. L. Narasingham as M. W.-1 and Shri Srimanta Kr. Das as M. W.-2 and has also exhibited certain documents from Ext.-A to Ext.-J.

### FINDINGS

#### ISSUE No. 1

6. This issue seems to be some what-superfluous as the 1st party-Management has not anywhere averred in their written statement about the non-maintainability of the reference. They have only stated that the statement of claim as submitted by the 2nd Party-Union is not maintainable either on facts or on points of law. And secondly, the General Secretary of the State Bank of India Employees Union has no locus standi to raise this industrial dispute for regularization of service of the present workman. Both these allegations do not hit at the very root of the maintainability of the reference. The claim of the 2nd Party-workman may or may not stand in the eye of law or the General Secretary of the 2nd Party-Union may or may not have the right to pursue the claim, but how can a question be raised, and virtually not raised, about the maintainability of the reference. It is quite different that the matter of regularization was carried to the Hon'ble High Court of Orissa and it did not find favour with the workman and the matter cannot be now re-agitated in the Courts or Tribunals subordinate to it, but that does not mean that this Tribunal is devoid of right to hear in the matter basically. In my view the reference is maintainable in this Tribunal under the provisions of the Industrial Disputes Act so sent by the Government of India for adjudication in exercise of the powers conferred under clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act. Hence, this issue is answered accordingly.

#### ISSUE No. II

7. It is an admitted case of the disputant-workman that he was appointed as cook-cum-canteen boy in the zonal office canteen of the State Bank of India at Bhubaneswar after being selected in an interview held on 2-3-1988. Thereafter he was given employment as a temporary cook-cum-canteen boy for 15 days commencing from 18-7-1988 to 1-8-1988 with the condition that the appointment may be terminated earlier at the bank's discretion without assigning any reason and shall come to an end on the expiry of the aforesaid period. His appointment was extended from time to time and has been continuing till date. During this period for a little spell of time, he worked on daily wages. But his services were not regularized though the Chief Manager (Office Administration) vide his letter dated 10-10-1995 marked as Ext.-7 wrote to the Chief Manager (Personnel) of the State Bank of India, Zonal Office, Bhubaneswar to make necessary arrangements to fill up the vacancies of canteen boys by posting permanent incumbents. He also quoted the names of five temporary canteen boys including the name of the disputant-workman who have been working since July 1994. This letter does not make any recommendation to appoint these five candidates on permanent post of canteen boy. The contention of the disputant-workman that the Chief Manager (Office Administration) has recommended his name along with four others for their permanent absorption against the posts of canteen boy is expelled from the contents of the letter itself.

8. The agreement/settlement dated 17-11-1987 and subsequent settlements as referred to in the pleadings of the parties relate to temporary employees of the State Bank of India working intermittently from time to time at different branches/establishments of the Bank including casual and daily rated workers. These agreements/settlements were entered into between the Management of the State Bank of India and the State Bank of India Staff Federation to provide criteria for consideration of eligible temporary employees for their permanent appointment in the Bank. In pursuance of these agreements/settlements all eligible temporary employees were afforded opportunity for permanent appointment and were called to appear at the interviews held during the years 1990 and 1993. The disputant-workman was called for interview during the year 1993, but he did not qualify, though the disputant-workman has concealed these facts in his statement of claim. Later it has been revealed in his evidence before the Court that he had applied for permanent absorption in the Bank in response to an advertisement published in pursuance of the said agreements/settlements made between the Federation and the Management of the State Bank of India. He has admitted that he faced the interview in the year 1993. The panels of selected temporary employees for permanent

absorption prepared on the basis of interviews conducted during the years 1990 and 1993 remained in force till 31-3-1997. Thereafter all the panels expired and now no one can claim any right over the same. It is also an admitted fact that the disputant-workman along with some other aggrieved workman filed a bunch of O.J.Cs before the Hon'ble High Court of Orissa challenging therein inter alia non-regularization of their services and praying for issue of direction to the Bank to treat their services as regular from the date of their initial appointment and to pay them the arrears. The O.J.C. filed by the disputant-workman is numbered as O.J.C. No. 4929/97. The Hon'ble High Court of Orissa heard the above mentioned case of the disputant-workman along with a bunch of similar cases filed by other temporary employees and dismissed all the writ petitions by a common judgement dated 15-5-1998 passed in O.J.C. No. 2787/97. The Hon'ble High Court of Orissa upheld the action of the 1st Party-Management in offering regular appointment from both the panels. One Natabar Das filed Special Leave Petition before the Hon'ble Supreme Court of India against the judgement of the Hon'ble High Court of Orissa which was too dismissed after hearing.

9. The contention of the disputant-workman is that he has prayed for regularization of his services as a canteen boy and the judgement of the Hon'ble High Court of Orissa does not cover temporary canteen boys employed in the Bank. But his contention does not hold good as the term "temporary employees" includes all workmen working temporarily in any capacity or post either as casual worker or daily wage earner. No distinction can be drawn in any categories of the temporary workmen given different names. This is also apparent from the judgement of the Hon'ble High Court of Orissa and the contents of agreements/settlements entered into between the Management of the State Bank of India and the State Bank of India Staff Federation. It is to be noted here that the disputant-workman has appeared in the interview arranged for absorption of the temporary employees against the permanent vacancies in pursuance of the above agreements/settlements. If his case was not covered, how he appeared in the interview? The cases of all temporary employees who were working under the State Bank of India from the year 1975 were covered under the said agreements/settlements for consideration of their names for permanent absorption in the Bank. Therefore it cannot be said that the case of the disputant-workman is distinct or stands on better footing from other temporary employees. It is also to be pointed out that in its statement of claim the 2nd Party-Union has prayed for regularization of the service of the disputant-workman not as a canteen boy but in generalized way. The Management Witness No. 1 Shri G. L. Narasimham, Chief Manager, Office Administration Section of the State Bank of India, Zonal Office, Bhubaneswar has stated in his cross examination that the agreement between the Bank and the Federation also covers

the canteen boy of the canteen managed by the Bank. He has further admitted that there are more than 250 employees in the Bank under which the canteen was functioning. The canteen is managed by the Management of the State Bank of India where there are more than 100 employees. The Management Witness No. 2 Shri Srimanta Kumar. Das has also admitted in his cross examination that the canteen is a bank run canteen. In view of it the 1st Party-Management cannot deny the fact that the disputant-workman is a State Bank of India employee.

10. There is a statement of the Management Witness No. 2 Shri Srimanta Kumar Das in his cross examination that the judgement of the Hon'ble High Court marked as Ext.-J is in respect of temporary messengers but not in respect of the canteen boys. This statement shows a lack of knowledge and prudence on the part of the deponent. As stated above the judgement of the Hon'ble High Court of Orissa covers all the temporary employees of the State Bank of India whether in short term engagement or working as a casual or daily wage earners. The agreements/settlements also do not make such distinction.

11. Therefore it is settled that the disputant-workman has been given due opportunity for being considered and appointed on permanent post of messenger/canteen boy or such other equivalent post but because of his failure to qualify in the interview he was not absorbed on permanent post. Being aggrieved he filed an O.J.C. No. 4929/1997 before the Hon'ble High Court of Orissa challenging non-regularization of his services and praying for issue of direction to the Bank to treat his services as regular from the date of his initial appointment and to pay him the arrears. But his case along with a bunch of similar cases was dismissed after hearing by the Hon'ble High Court of Orissa vide a common judgement dated 15-5-1998 which was given in O.J.C. 2787/97. A special leave petition was also filed against this judgement by one of the aggrieved workmen Sri Natabar Das before the Hon'ble Supreme Court of India which too was dismissed. Therefore the judgement of the Hon'ble High Court of Orissa has become final and the disputant-workman is stopped from re-agitating the same issue before this Tribunal.

12. The 2nd Party-Union has made another contention that the workman has rendered continuous and regular service at the Bank for the last so many years and he has been still continuing on the post of canteen boy. So the right to regularization has accrued to him.

13. In support of this very contention several citations such as SCLJ (1991-93) -1241 SC, 2006 (110) FLR 226. SC., LLJ(I) 2006 (Bom.), LLJ March-06-842, LLJ(I) Bom.-244, LLJ 2006 (III), SC 482, LLJ 2006 (I) (March) 842 and 2000 (II) LLJ -1109 (S. C.) have been referred to, but these rulings are not applicable in the present set of circumstances, as the matter of regularization or permanent appointment has finally been decided by the



Hon'ble High Court of Orissa on the basis of a bipartite agreement/settlement between the Management of State Bank of India and the All India State Bank of India Staff Federation which is binding on all concerned and they cannot wriggle out of it.

14. The 1st Party-Management has relied upon a judgement of the Hon'ble Supreme Court given in the case of "Secretary, State of Karnataka & Others Versus - Uma Devi & Others" reported in AIR 2006 S. C. 1806 which replies to all the questions raised by the 2nd Party-Union. The Hon'ble Supreme Court held that:

"Unless the appointment is in terms of the relevant rules and after a proper competition among qualified persons, the same would not confer any right on the appointee. If it is a contractual appointment, the appointment comes to an end at the end of the contract. If it were an engagement or appointment on daily wages or casual basis, the same would come to an end when it is discontinued. Similarly, a temporary employee could not claim to be made permanent on the expiry of his term of appointment. It has also to be clarified that merely because a temporary employee or a casual wage worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the Court to prevent regular recruitment at the instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment do not acquire any right."

The Hon'ble Supreme Court has further held that:—

"Employment on daily wage confers no right of permanent employment. Daily wagers appointed on less than minimum wages that was made known to him is not forced labour. Daily wagers form a class by themselves. They can not claim parity vis-a-vis those regularly recruited on basis of relevant Rules and not be made permanent in employment."

15. The judgement given by the Hon'ble High Court of Orissa in O.J.C. No. 2787/97 and other analogous cases reported in "86 (1998) C.L.T. 834" (Abhimanyu Mandal & Others) - Versus - State Bank of India & Others) is binding on all the petitioners including the disputant-workman. In these cases regularization of temporary employees/daily wagers/casual employees was prayed and all the cases with that prayer were dismissed by the Hon'ble High Court and Special Leave Petition filed by one of the workman namely Natabar Das before the Hon'ble Supreme Court

was also dismissed. The judgement is binding not only on the parties of the cases but also on all courts subordinate or lower in rank to it. Therefore, the matter of regularization is not now open to be adjudicated upon in this Tribunal as the same has been settled for all and it is held that the 2nd Party-workman is not eligible for permanent absorption or regularization in the post. This issue is answered accordingly.

### ISSUE NO. III

16. For the foregoing discussions made in Issue No. II the action of the State Bank of India in not regularizing the services of the workman cannot be held illegal and unjustified. Since the disputant-workman had availed of the opportunity of appearing in the interview for permanent appointment and he had not come out successful to be placed on the existing vacancy and the wait listed panel had expired on 31-3-1997, there remains no course open for regularization in view of the bipartite agreement/settlement entered into between the Management of State Bank of India and the State bank of India Staff Federation. This issue is answered accordingly.

### ISSUE NO. IV

17. In view of the conclusions arrived at under the foregoing issues the 2nd Party-Union is not entitled to any relief.

Dictated & Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 12 नवम्बर, 2010

का.आ. 3014.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 38/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2010 को प्राप्त हुआ था।

[सं. एल-12012/295/2004-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 12th November, 2010

S.O. 3014.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. I.D. No. 38/2005) of the Central Government Industrial Tribunal-cum-Labour Court Kanpur as shown in the Annexure in the Industrial Dispute between the management of State Bank of India and their workmen, received by the Central Government on 10-11-2010.

[No. L-12012/295/2004-IR (B-I)]

RAMESH SINGH, Desk Officer

**ANNEXURE****BEFORE SRI RAM PARKASH, HJS, PRESIDING  
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, KANPUR****Industrial Dispute No. 38 of 2005****BETWEEN**

Sri Radhey Shyam Verma son of Sri Ram Kishan,  
C/o Sri Shiv Kumar,  
117/N-166,  
Tulsi Nagar,  
Kakadeo,  
Kanpur  
AND

The Deputy General Manager,  
State Bank of India,  
Personnel Department,  
Kanpur Main Branch,  
Kanpur.

**AWARD**

1. Central Government, MOL, New Delhi, vide Notification No. L-12012/295/2004-IR (B-1) dated 10-11-2005 has referred the following dispute for adjudication to this Tribunal-

2. Whether the action of the management of State Bank of India, Kanpur in refusing employment to Sri Radhey Shyam Verma son of Sri Ram Krishan is fair and justified? If not to what relief the applicant concerned is entitled to ?

3. Brief facts are-

4. Claimant Sri Radhey Shyam Verma has filed this claim statement claiming that he should be reinstated in the service of the opposite party and he should be provided back wages and all consequential benefits.

5. It is alleged that he was engaged in the year 1989 by the opposite party in a regular way and he was working regularly and satisfactorily. Opposite party is indulging in an unfair labour practice as they are not making payment regularly according to the prescribed pay scales, not taking attendance on the attendance register etc. When the grievances were raised opposite party department invited all the employees of the bank in the year 1991 for interview. Claimant also appeared in the interview and passed the test but the opposite party never informed till date about the result and he was not engaged as employee of the opposite party and he was exploited. His name in the waiting list was included for giving appointment. But instead of giving employment the opposite parties have not given him the work. They are not giving anything in writing. Therefore, he files the present claim statement.

6. Opposite has filed the written statement opposing the allegations and aversions of the claimant. It is alleged that the claimant has never worked in the DGM Office of the bank. It is stated that the claimant had worked only

for 89 days as a casual labour from August 89 to Nov. 89. There is a prescribed procedure in the bank to fill up the sanctioned post, then the candidates are called from the employment exchange and through the advertisement in the newspaper thereafter interview board conducts an interview and who so ever is found suitable is given employment after police and medical verification. Claimant was never appointed after adopting such procedure by the bank. He never worked for 240 days in a year preceding the date of his alleged retrenchment. It is stated that there were settlements in between the Union representing the employees of the bank and the management of the bank to employ such persons who have put in 89 days of continuous service at any relevant time prior to the settlement. His name was also called for interview and he was found suitable and his name was in the penal of 1991 and the same penal has been vanished in the year 1997. As no vacancy has arisen so he could not be kept in the employment of the opposite party. Accordingly the claim of the workman is devoid of merit and is liable to be rejected.

7. Both the parties have filed documentary evidence. But the oral evidence has been filed only by the management the claimant did not adduce any evidence in support of his claim.

8. I have heard the arguments of the opposite party only as on the date of arguments none appeared from the side of the claimant and also perused the record of the case carefully.

9. Claimant has filed one letter which shows that he was called for interview which is paper no. 12/2. This fact has already been stated by the opposite party that the name of the applicant was included with the candidates called for interview. He was found suitable and his name was placed in the penal prepared for selected candidates. As the penal has vanished and further no vacancy has arisen so he could not be given engagement or employment against any regular and permanent post.

10. Opposite party has stated this fact on oath by adducing a witness Sri Gyanendra Kumar Pandey who is the branch manager of the opposite party as M.W. 1. His statement is uncontroverted whereas claimant has not adduced any oral or any cogent documentary evidence to support his pleadings therefore the tribunal does not feel any hesitation in believing the evidence of the opposite party.

11. Accordingly it is held that the claimant has palpably failed to prove his claim before the tribunal by adducing cogent evidence and under the given circumstances of the case the claimant is not entitled for any relief as claimed by him.

12. Therefore the reference is decided in negative against the claimant and in favour of the opposite party holding that the claimant is not entitled for any relief.

13. Reference is therefore, answered accordingly against the workman.

Date 28-10-10

RAM PARKASH, Presiding Officer

नई दिल्ली, 12 नवम्बर, 2010

का.आ. 3015.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट (संदर्भ संख्या 32/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-11-2010 को प्राप्त हुआ था।

[ सं. एल-41012/29/2003-आईआर(बी-1) ]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 12th November, 2010

S.O. 3015.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID.No. 32/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure in the Industrial Dispute between the management of Southern Railway and their workman, received by the Central Government on 10-11-2010.

[No.L-41012/29/2003-IR(B-I)]

RAMESH SINGH, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated : 14th September, 2010

PRESENT : Shri S. N. NAVALGUND, Presiding Officer

C. R. No. 32/2003

#### I PARTY

Shri N. Pushpakanthan,  
S/o Shri Nateshan, No.24  
E.No 4th Street,  
Old Madras Road, Ulsoor,  
Bangalore-560008

#### II PARTY

The Sr. Divisional Mechanical Engineer,  
Southern Railway,  
Divisional Office,  
Mechanical Branch,  
Bangalore - 560023

#### AWARD

1. The Central Government by exercising the powers conferred by Clause (d) of sub-section (1) and sub-section 2A of the Section 10 of the Industrial Disputes Act 1947 (14 of 1947) has referred this dispute vide Order No. L-41012/29/2003-IR(B-I) dated 13-5-2003 for adjudication on the following schedule:

#### SCHEDULE

"Whether the action of the management of Southern Railway in removing Shri N. Pushpakantan, Ex. Khalasi/Helper from service w.e.f. 19-5-1999 is justified? If not, what relief he is entitled to?"

2. Pursuant to the notices issued by this tribunal the first party and the second party entered their appearance through their respective advocates and filed claim statement and counter statement respectively. Having regard to the assertion made by the first party that the enquiry made against him was not fair and proper, my Learned Predecessor while framing the Preliminary Issue as to "Whether the Domestic Enquiry conducted against the first party by the Second party is fair and proper", after recording the evidence of Shri V. Ravindra, office Superintendent, Sr. Mechanical Engineer, Southwestern Railway, Bangalore as MW1 for the management and exhibiting charge sheet in original, nomination enquiry officer letter dated 22-12-97 letter of Enquiry officer dated 9-3-98, letter of enquiry officer dated 12-3-1998, letter of defence Helper dated 13-3-98, Proceedings held on 21-3-1998, Proceedings held on 25-3-1998, Proceedings held on 4-4-1998 findings of the enquiry Officer dated 4-4-1998 and Enquiry Report acknowledged by the first party in Original as Ex. M1 to M10 and also the evidence of first party as WW1 and in his cross examination his Service Register confronted to him as Ex. M11 after hearing the arguments addressed by the learned advocates appearing for both the parties by order dated 3-9-2007 answered the Preliminary Issue in the affirmative holding that the Domestic Enquiry conducted against the first party by the second party as fair and proper. Thereafter the arguments addressed by the learned advocates appearing for both the sides were heard on merit.

3. The learned advocate appearing for the Second Party taking me through the enquiry proceedings and evidence brought on record in the departmental enquiry urged that since it is not in dispute the first party having remained absent without availing any sort of leave from 30-5-1997 to 14-10-1997 and as he failed to give any satisfactory explanation, departmental enquiry was held and there also since he failed to produce any material to substantiate his unauthorized absence for a period of 154 days the enquiry officer gave finding the charge being proved and thereafter having regard to the long unauthorized absence, he has been removed from service

by the competent authority as such there is no necessity to this tribunal to interfere either in the finding of the enquiry officer or the punishment imposed by the Disciplinary Authority and thus he supported the action of the management. Inter alia the Learned Advocate appearing for the first party urged that as there is no dispute that the first party having remained absent from 30-5-1997 to 14-10-1997 without availing any sort of leave and also failed to explain the same on service of charge sheet as well as before the enquiry officer producing any documentary evidence, even if this tribunal were to say that the finding of the enquiry officer is correct, having regard to the long service of 22 years rendered by the first party in the Railways, invoking the provisions of Section 11A of the Industrial Dispute Act, this tribunal may reduce the punishment of removal to any lesser punishment and direct the management to pay the consequential benefits since he cannot be reinstated in view of his age being crossed the superannuation. In support of his argument he relied on the decision of the Hon'ble Supreme Court of India in the case of Jagadish Singh V/s Punjab Engineering College & Others reported in 2009-III-LLJ 373 (SC).

4. It is borne out from the proceedings of the enquiry conducted by the enquiry officer in the Domestic Enquiry that the first party did not dispute the fact of remaining absent unauthorisedly without availing any sort of leave from 30-5-1997 to 14-10-1997 and put forward a defence that due to some family circumstances and sickness he was compelled to remain absent during that period but he failed to place on record any evidence that he was suffering from such a sick that he could not even sent a leave application by post or appearing in the office where he was serving at that time. It is only along with his appeal, revision and mercy petition he produced certificate having taken treatment with Dr. K. N. Rohini, Dy. Chief Medical Officer, Ulsoor, Bangalore for swelling and pain from 31-5-1997 to 9-7-1997; certificate having taken treatment under Dr. M. Krishana of Sri Krishna Clinic for Hepatitis from 12-7-1997 to 25-8-1997; a certificate having taken treatment under Asst. Surgeon, Vani Vilas Hospital, Bangalore for viral fever from 26-8-1997 to 14-9-1997 and a certificate issued by the Dy. Chief Medical Officer, Ulsoor, Bangalore for left leg pain for one day i.e. 15-9-1997. If at all such a treatment was taken by the first party with these doctors, he could have put forward this plea in the DE and examine the concerned doctors to substantiate that he was under their treatment for respective periods and satisfy the enquiry officer or Disciplinary Authority that he was in such a condition that he could not even sent a leave letter or appears in the office where he was working to request for grant of leave. Therefore absolutely I find no error in the finding of the enquiry officer regarding proof of charge levelled against the first party. In view of this finding that the charge has been proved against the first party having remained

unauthorized absent from 30-5-1997 to 14-10-1997 the only factor that remains for my consideration is whether the punishment imposed by the management of his removal from service is proper and justified under the circumstances. It has been contended by the management in their counter statement that the first party while working in the Engineering Department for having remained unauthorized absence from 19-3-1989 to 8-9-1989 he was awarded with minor penalty of withholding of annual increment for 24 months; he was suspended from pay and allowances from 13-6-1995 to 22-6-1995; his one set of privilege pass withheld for sleeping on duty on 17-1-1995, his annual increment was withheld for three months from 1-4-1996 for his disobedience; his annual increment was withheld for two years for his disobedience from 1-4-1997; one set of privilege pass was withheld for his unauthorized absence from 31-1-1996 to 25-2-1996, 28-2-1996 to 11-3-1996 and from 14-3-1996 to 4-7-1996; his pay was reduced to the lowest stage for the period of three years for his unauthorized absence from 14-7-1996 to 16-7-1996, 26-7-1996 to 27-7-1996, 28-12-1996 to 31-12-1996, 3-1-1997 to 6-1-1997, 15-1-1997 to 12-2-1997; one set of privilege ticket order was withheld for his unauthorized absence from 14-7-1995 to 7-8-1995 and one set of Privilege pass was withheld for his unauthorized absence from 15-5-1998 to 31-7-1998 and this has not been denied by the first party and it has also been corroborated and supported by the entries made in his Service Register marked in his cross examination as Ex.M11 by confrontation which do suggest that he was in the habit of remaining unauthorized absent and on and often. In view of this conduct on the part of the first party, the decision relied upon by the learned advocate in the decision reported in 2009-III-LLJ 373 (SC) do not come to his help. In the said decision of the Hon'ble Supreme Court relied on by the Learned Advocate appearing for the first party it has been held in a case of not a habitual absenteeism dismissal being disproportionate, but in the instant case the evidence brought on record when suggest that the first party was in the habit of remaining unauthorized absent, I find no justification in showing any leniency in the punishment and I am of the opinion that the punishment of removal from service imposed by the Disciplinary Authority is proper and justified. Accordingly, I pass the following Award:

#### AWARD

The action of the management of Southern Railway in removing Shri N. Pushpakantan, Ex. Khalasi/Helper (First Party) from service w.e.f. 19-5-1999 is justified and he is not entitled for any relief. No costs.

(Dictated to PA transcribed by her corrected and signed by me on 14-9-2010)

S. N. NAVALGUND, Presiding Officer

नई दिल्ली, 12 नवम्बर, 2010

## अधिनिर्णय

का.आ. 3016.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ईरकान लि. के प्रबंध-तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोटा के पंचाट (संदर्भ संख्या 36/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-2010 को प्राप्त हुआ था।

[सं. एल-41012/201/2003-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 12th November, 2010

S.O. 3016.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 36/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Kota as shown in the Annexure, in the Industrial Dispute between the management of L.I.C. of India and their workmen, received by the Central Government on 11-11-2010.

[No. L-41012/201/2003-IR (B-I)]

RAMESH SINGH, Desk Officer

अनुबंध

न्यायाधीश, औद्योगिक न्यायाधीकरण, कोटा/केन्द्रीय  
प्रौद्योगिक/राज

पीठासीन अधिकारी : अनुराधा शर्मा, आर.एच.जे.एस.

निर्देश प्रकरण क्रमांक : औ. न्या. 36/03

दिनांक स्थापित : 20-10-2003

प्रसंग : भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या  
एल-41012/201/2003, आई आर बी-1 दिनांक 26/9/2003

निर्देश/विवाद अन्तर्गत धारा 10(1) (घ) औद्योगिक विवाद  
अधिनियम, 1947

मध्य

जवाहर सिंह पुत्र श्री नारायण सिंह

—प्रार्थी श्रमिक

एवं

गुप मैनेजर, ईरकान इन्टरनेशनल लिमि.

पालिका बाजार सैक्टर-13, नई दिल्ली

—अप्रार्थी नियोजक

उपस्थिति

प्रार्थी श्रमिक की ओर से प्रतिनिधि श्री नरेन्द्र सिंह चौधरी

अप्रार्थी नियोजक की ओर से प्रतिनिधि श्री एम. सी. गुप्ता

अधिनिर्णय दिनांक : 30-9-2010

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा अपने उक्त प्रासंगिक आदेश दिनांक 26-9-2003 में दिए निम्न निर्देश विवाद, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरांत "अधिनियम" से सम्बोधित किया जाएगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णय सम्प्रेषित किया गया है।

"Whether the workmen Shri Jawahar Singh S/o Shri Narayan Singh was in continuous services of M/s. Ircon International Limited, New Delhi from 21-7-90 to 31-3-1997? If yes, whether the action of its group Manager in terminating the services of the workman w.e.f. 31-2-1997 is Legal and justified? If not, to what relief the concerned workmen is entitled to and from which date?"

2. निर्देश/विवाद, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गई जिस पर दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किए गए।

3. प्रार्थी श्रमिक द्वारा प्रस्तुत शपथ पत्र पर जिरह हेतु आज पत्रावली नियत थी, किन्तु प्रार्थी श्रमिक न्यायालय में अपनी जिरह हेतु उपस्थित नहीं हुआ है। पत्रावली के अवलोकन से प्रकट होता है कि प्रार्थी श्रमिक की जिरह में पत्रावली दिनांक 17-7-2006 से चली आ रही है और इस बीच हुई पेशियों पर अनुपस्थिति के कारण उससे जिरह नहीं हो सकी है, आज भी वह उपस्थित नहीं है, ना कोई कारण ही उसकी अनुपस्थिति बाबत बतलाया गया है, इन परिस्थिति में जब और समय दिया जाना उचित नहीं समझते हुए उसकी जिरह बन्द की जाती है तथा प्रार्थी द्वारा प्रस्तुत शपथ-पत्र साक्ष्य योग्य नहीं रहेगा। अप्रार्थी पक्ष की ओर से भी कोई साक्ष्य प्रस्तुत नहीं दिया जाना प्रकट किया गया।

बहस पक्षकारान प्रतिनिधियों की सुनी गई, पत्रावली का अवलोकन किया गया। पत्रावली अवलोकनोपरान्त यह स्पष्ट है कि प्रार्थी श्रमिक अपने द्वारा प्रस्तुत क्लेम स्टेटमेंट को किसी ठोस साक्ष्य से साबित नहीं कर सका है, अर्थात् वो अपने मामले को साबित करने में पूर्णतया असफल रहा है। अतः प्रार्थी श्रमिक, अप्रार्थी नियोजक से अधिनियमान्तर्गत कोई संरक्षण प्राप्त नहीं होने से किसी प्रकार का कोई अनुतोष प्राप्त करने का अधिकारी नहीं है और सम्प्रेषित निर्देश/विवाद को इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

अनुराधा शर्मा, न्यायाधीश

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 3017.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मायल भरवेली बालाघाट मध्य प्रदेश के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट



(संदर्भ संख्या 68/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-29012/128/2000-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 16th November, 2010

**S.O. 3017.**— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 68/2001) of the Central Government Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharveli Mine of MOIL Distt. Balaghat (M.P.) and their workmen, which was received by the Central Government on 16-11-2010.

[No. L-29012/128/2000-IR (M)]

JOHAN TOPNO, Under Secy.

### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/68/2001

PRESIDING OFFICER: SHRI MOHD. SHAKIR HASAN

Smt. Phekanbai,  
W/O Late Sukhramdas,  
C/O Shri Tekram, Surpanch,  
Village Budasagar, PO Budhvas,  
Tehsil Gadai, Distt. Rajnandgaon,  
Rajnandgaon (MP) ... Workman/Union.

Versus

The Chairman-Cum-Managing Director,  
3, Mount Road,  
Extension, Nagpur (M.S.),  
Nagpur ... Management

### AWARD

Passed on 18th day of October, 2010

I. The Government of India, Ministry of Labour vide its Notification No. L-29012/128/2000/IR(M) dated 30-3-2001 has referred the following dispute for adjudication by this tribunal:

"Whether the action of Dy. Manager (Production), Bharveli Mine of MOIL, PO Bharveli, Distt. Balaghat (M.P.) in dismissing the services of Shri Sukhramdas S/O Samundas, underground worker of Bharveli Mine of MOIL w.e.f. 6-8-84 is justified? If not, what relief the workman is entitled to?"

2. The applicant/workman appeared on 20-10-05 through lawyer but did not file statement of claim in spite of sufficient time granted to the applicant/workman. Lastly the then Tribunal proceeded ex parte against the applicant/workman on 20-11-07.

3. The management appeared and filed Written Statement in the reference. The case of the management in short is that the workman had earlier raised the Industrial Dispute but the Central Govt. vide order dated 5-11-84 refused to refer the reference but again the Government without any fresh material referred the terms of reference to the Tribunal for adjudication and therefore it is not maintainable. The present reference is also not maintainable on the ground of delay. The further case is that one Shri Kankar Munjare was trying to form an Union at Bharveli Mines but this organization was not a recognised Union. They had organized a meeting and were instigating the workers to assault the officers in front of the Mine Manager's office and thereby they were compelling to withdraw the charge sheet served on Shri Dasrath. When the Enquiry Officer tried to conduct enquiry on 27-6-82, the workman Shri Dasrath alongwith others opposed the same and surrounded the Mine Manager and other officials. The SDM and police also reached there. The workers misbehaved with the officers of the mine and it became violent. The officers warned them and ordered to leave the place. Ultimately the police was compelled to fire upon them causing death of three persons in the incident. The workman was chargesheeted. Shri Dasrath participated in the departmental proceeding. The Enquiry Officer gave full opportunity to defend himself. After enquiry the E.O found that the charges levelled against him had been proved and he submitted his enquiry report. The Disciplinary authority served second showcause alongwith enquiry report. The Disciplinary Authority after considering all materials on record passed the order of dismissal from service. It is stated that there is no violation of natural justice and the action of the management is justified.

4. The following issues are framed for adjudication—

- I. Whether the departmental enquiry conducted against the workman is proper and legal?
- II. Whether the action of the management in dismissing the workman Shri Dasrath is justified?
- III. To what relief, the applicant is entitled to?

5. Issue no. I Since the Tribunal proceeded ex parte against the workman, all the issues are taken up finally. The management counsel has submitted that a joint departmental proceeding was conducted and one Shri Sevak Ram was also dismissed after the said departmental proceeding. He had also raised industrial dispute and the

reference was referred which was Case No. CGIT/LC/R/60/87. In the said reference, award was passed on 21-7-2003. The copy of the award is filed in the case. It is submitted that in the said reference, the Tribunal had held that enquiry conducted against the workman is just, proper and legal. On perusal of the said award it is clear that the then Tribunal had held on 10-1-96 that enquiry conducted is just, proper and legal. However the management has filed the papers of the departmental proceeding. On perusal of the papers (Exhibit 5), it is clear that the workman Shri Dasrath had participated in the proceeding and Shri Mangal Singh was Defence Assistant. It is also clear that four witnesses were examined by the management and they had been cross-examined at length. The workman also examined his defence witness. After enquiry, the E.O found guilty of charges and submitted his report. The Disciplinary Officer again issued show cause and supplied the copy of the enquiry report with a proposal of punishment. The workman appeared to have replied but it was not found satisfactory and the order of dismissal was passed on 6-8-84. I find that full opportunity was given to the workman Shri Dasrath to defend himself. I, therefore hold that the departmental proceeding conducted against the workman Shri Dasrath is proper, legal and valid. This issue is accordingly answered.

#### 6. Issue no. II

Now the another question is as to whether the action of the management is justified and the punishment imposed on the workman was just and proper. The management has examined one witness. Shri Nitin Pagnis is Sr. Manager (P) in Manganese Ore (India) Ltd., at H.Q. Nagpur. He has supported the case of the management. His evidence and the evidence adduced before the E.O show that the workman Dasrath took active participation in the violent agitation against the management. His dismissal from service after holding enquiry appears to be fully justified. There is no other evidence in rebuttal of the evidence of the management. I find no reason to interfere in the punishment order. I find and hold that the dismissal order passed against the workman Shri Dasrath is proper and the management is justified in dismissing him. This issue is also accordingly answered.

#### 7. Issue No. III

On the basis of the discussions made above, I find that the applicant is not entitled to any relief. The reference is accordingly answered.

8. In the result, the award is passed without any order to costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 3018.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निरिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय चण्डीगढ़ के पंचाट (संदर्भ संख्या 821/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[ सं. एल-30012/128/2000-आई आर(एम) ]

जोहन तोपनो, अवर सचिव

New Delhi, the 16th November, 2010

S.O. 3018.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 821/2005) of the Central Government Govt. Indus. Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Bharat Petroleum Corporation Ltd. and their workmen, which was received by the Central Government on 16-11-2010.

[ No. L-30012/128/2000-IR (M) ]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present: Sri A.K. Rastogi, Presiding Officer.

Case No. I.D. 821/2K5

Registered on 08-09-2005

Sh. Raman Kumar S/o. Sh. Dwarka Dass  
R/o Qtr. No. C-8, PNT Colony,  
Bathinda (Punjab).

...Applicant

#### Versus

Bharat Petroleum Corp., Ltd., The Chief Divisional  
Manager, Tel Bhawan, Sector 19-B, Madhya Marg,  
Chandigarh.

...Respondent

#### APPEARANCES

For the workman : Sh. H.S. Bath, Advocate.

For the Management : Authorized Representative.

**AWARD**

Passed on 26th Oct., 2010

Central Government vide Notification No. L-30012/128/2000/IR(M) Dated 08-01-2001, by exercising its powers under Section 10 sub section (1) Clause (d) and sub section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following Industrial dispute for adjudication to this Tribunal:-

“Whether the action of the management of Bharat Petroleum Corpn., Ltd., in terminating the services of Sh. Raman Kr. S/o Sh. Dwarka Dass is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

The workman has raised this industrial dispute by stating that he had been engaged as labour on 13-02-1995. His job was of permanent nature but his services were terminated on 22-05-1999 without any notice, compensation, Charge-sheet or enquiry. Employees junior to him and new hands are still in service and the workman is still unemployed after termination of his services. He had claimed his reinstatement with continuity of service and full back wages.

The management has contested the claim. It has been stated in the written statement that at its installation at Bathinda it has positioned its regular manpower consisting of 5 Officers, 3 Assistants, 4 Operators (Field) and 1 HVD and day to day activities of the establishment are carried out by the regular employees of the respondent. However, during the course of using the Plant and other machinery and building, certain miscellaneous jobs in the form of repairs and maintenance of plant and machinery, white washing of building and construction/reconstruction activities connected with civil and mechanical jobs arise from time to time and these jobs being irregular in nature are awarded on contract to local contractors. As per information of the management the applicant used to be engaged by such local contractors for various miscellaneous jobs and he used to work with contractors on mutually agreed terms and received payment from them for the services rendered and he was doing the job under the control and supervision of the contractor/employer. There was no relationship of employer and employee between the management and the workman. The claim is bad for non-joinder of contractors. Since the workman was not in the employment of the management hence the question of termination of his services, payment of compensation, issue of charge-sheet and conducting of enquiry does not arise. The management denied the retention of juniors. It was stated that the management has the requisite strength of employees at its establishment at Bathinda, hence; there is no need to depute new employees. According to the information of

the management the workman is gainfully employed and is not entitled to any relief.

From the pleadings of the parties, the following issues arise for consideration:—

- (i) Whether the workman was employee of the management and there was a relationship of employer and employee between the management and the workman?
- (ii) Whether the management terminated the services of the workman, if yes, whether the action of the management is legal and justified?
- (iii) To what relief is the workman entitled to and from which date?

In evidence the workman tendered his affidavit along with certain documents and affidavit of J.S. Brar, the Heavy Vehicle Driver of Tank Lorry No. DT-352 attached to Bathinda Depot of management. While the management tendered in evidence the affidavit of Dev Dutt Kaushal, presently working as Manager Operation (Retail) In-charge at Paradeep Installation (Orissa). (He had worked in the year 2002 at Bathinda Depot of the management) and affidavit of N.K. Ahuja, who worked as Depot Manager (In-charge) from 01-08-1990 to 31-01-1996 and as Manager (In-charge) from 01-02-1996 to 30-04-1996 at Bathinda Depot. Certain documents are annexed with the affidavit of N.K. Ahuja.

Parties have filed written arguments in the case, which were perused by me. I also carefully perused the evidence on record. My findings on various issues are as follows :—

**Issue No. 1**

Strangely enough in his claim statement or affidavit the workman has not stated that he was in the employment of the management. In the claim statement he has stated that he has been engaged as labour and his services were terminated. It is conspicuously missing in the claim statement that he was engaged and his services were terminated by the management. Similarly, in his affidavit he stated to have worked with the management and his services were wrongfully terminated but it is missing here also that he was in the employment of the management and his services were terminated by the management. In his evidence, he has tendered certain photographs, photo copies of Tank Lorry Log Sheet and other documents 1 to 233 and copy of Log Books from S. No.1 to 219. These documents have been received in evidence as Ex. W-2/1 to W-219 and Ex. W-220 to 453. During cross-examination he stated that he had not joined the respondent company through Employment Exchange but he had been recruited by the respondent company. Earlier he was working at Kotapur with a contractor of Hindustan Petroleum.



He also stated that he was brought to Bathinda by N.K. Ahuja, the In-charge of the Depot and he had been appointed on the post of Cleaner in the Tank loading section. He had not made any application and he was not issued any appointment letter or termination letter. He however, stated that his attendance was used to be marked in the Attendance Register and the salary was paid to him through vouchers.

The workman in his cross-examination has also stated that the management used to deduct E.S.I. contribution and Provident Fund contribution from his salary and he had filled the required form for becoming the member of the said schemes. But he says that he was not given the E.S.I. Card and he cannot say whether the management deposited his contribution with the concerned authorities or not. He admits that he was not paid bonus, given leave and L.T.C.

About the photo copies of the Log Sheets he said that he had got the original Log Sheet photo copies every day. But later on he said that the photo copies of the Log Book were given to him by an officer of the management. He however, refused to disclose the name of the officer on the pretext that the management may take action against him. It is, however, important that in his statement he admits not to have signed the Log Book and that the Log Book was being signed by the driver and the party concerned. He denied that he had worked from 01-05-1995 to 10-05-1995 and from 15-09-1995 to 06-10-1996 for M/s. R.K. Enterprises and at any time during 1995 to August 1997 for Navjot Enterprises and from February 95 to October 1997 for Yadav construction and Fabrication Company.

The witness of the workman G.P.S. Brar in his affidavit has stated that the workman worked as helper/cleaner with Lorry No. 352 regularly. He in his affidavit has stated what was not stated by the workman in his claim statement and affidavit. He said that the management of the Bharat Petroleum had engaged the workman and his salary were being paid by the management. He had been deputed to the work on the said Lorry by the management and the workman used to fill and sign the Log Book of the said vehicle. In his cross-examination he however stated about the maintenance of Log book by workman. He further stated that on his transfer to Bathinda unit in January 1994 there was no Tank Lorry available in the said unit and the same was made available to him on 22-01-1994. At the time of his joining there was no helper. On his demand the management had provided him a helper. He had seen the workman in Bathinda for the first time and there were 11 officials including the workman working at Bathinda unit. In his cross-examination he also stated that the workman received his salary from the depot in his presence.

It is interesting to note that earlier the management had filed the affidavit of this witness in which it was stated

that on the Tank Lorry there was no cleaner or helper and the witness used to operate the Tank lorry of his own and also maintain the Log Book and Log Sheet on day to day basis. He operated the Tank lorry alone without anybody's help. On some days workman had gone along with him on the Tank lorry on his asking and also that the workman used to come irregular since he was working with various contractors. Regarding this affidavit, which was not tendered in evidence, the witness appearing as the workman witness admitted his signatures but said that without reading the contents of the affidavit he had signed it and at that time notary was not present.

On the other hand the management witness Dev Dutt Kaushal in his affidavit stated that workman was never employed at any post and he was not given any Identity Card. The workman had been given an Entry Pass only, as he was engaged by contractors for doing petty jobs. The witness is a witness to the earlier affidavit marked 'A' of workman's witness G.P.S. Brar referred above. The witness was cross-examined at length about the affidavit marked 'A' of G.P.S. Brar. According to him the contents of this affidavit had been made clear in Hindi and Punjabi both to G.P.S. Brar and he had signed after knowing the contents. He also stated that G.P.S. Brar had taken voluntary retirement in June 2004. It is important to note that affidavit marked 'A' had been sworn on 08-08-2002 i.e. when G.P.S. Brar was in service, while the other affidavit, which was tendered in evidence on behalf of workman was sworn on 21-02-2007.

The other witness of the management N.K. Ahuja had worked as Deputy Manager (In-charge) from 01-08-1990 to 31-01-1996 and as Manager (In-charge) from 01-02-1996 to 30-04-1996 at Bathinda Depot of the management. In his affidavit he has stated that workman was never in the employment of the respondent/management and there is no post of helper/labour at the said depot. His name was neither sponsored through Employment Exchange nor he ever applied for any post against any advertisement published in any newspaper. He has filed the copies of Muster Roll Ex. MW-1/1 to MW-1/9 and statement of a copy of record showing date of joining of all employees at the depot and the detail of salary Ex. MW-1/10 of a fresh recruited General Operator. He also stated that during the period 1995 to 1997 miscellaneous jobs were awarded to various contractors i.e. R.K. Enterprises, Navjot Enterprises and Yadav-Construction and Fabrication Company on job rate basis. Copies of payment vouchers, work orders of these contracts are Ex. MW-1/11 to MW-1/16. He further deposed that on an enquiry from the contractors, the letter gave details of their having engaged workman during the said period. The letters of the contractors are enclosed to the affidavit as Ex. MW-1/17 to MW-1/19. According to this witness there was only one company Tank Lorry, which was run by G.P.S. Brar, Heavy Vehicle Driver and there was

no cleaner or helper for the Tank Lorry to travel with him as no such post was sanctioned at the said depot. G.P.S. Brar operated and managed the running of the vehicle and doing all related documentation regarding maintaining Log Book and Log Sheet of his own and occasionally he might have taken the workman along with him in Tank Lorry on mutual understanding between them. He also stated that workman was never issued an Identity Card. Contract labour and visitors etc. are issued temporary entry papers to enter the premises as per government guidelines. A copy of such pass and the government guidelines are Ex. MW-1/21 and MW-1/22 respectively. In the affidavit of the witness it is also disputed that the workman had worked for 240 days in any period of 12 months. An analysis of the record submitted by the applicant has been submitted by this witness as Ex. MW-1/23. On showing the original of the I. Card submitted by the workman, the witness in his cross-examination admitted that the words "Entry Pass" are scored through. The witness explained that this may be due to some mistake. In cross-examination the witness further stated that the original Log Book, photo copies of which are on record are not available, since it was not mandatory to keep the record after five years. He, however, had brought at the time of his statement the attendance record and Cash Payment vouchers. Regarding the Log Book he said that the name of the driver is entered in the Log Book and no helper or cleaner is provided on tanker.

The arguments of the workman's counsel is that the Log Book and the Log sheets filed by the workman are the proof that the workman worked on Tank lorry owned by the company and the Identity Card also is a proof that the workman was an employee of the government and it is not the case of the management that the Identity Card is a fake or forged document. The management did not produce any contractor in evidence to prove its stand that the workman was the employee of any contractor. G.P.S. Brar the driver of the vehicle and an employee of the management has supported the workman's case.

While the argument of the management is that workman could not be treated as the employee of the management as he was not engaged through Employment Exchange. There was no advertisement in the newspaper about the alleged post and no interview or appointment letter was issued to him. There was no appointment as per guidelines/rules applicable to the Corporation which is a public sector undertaking. Workman, who had worked through various contractors, had been issued only entry passes from time to time. Identity Cards are issued by Deputy General Manager (HR) North, while the Entry Passes are issued by the Officer of the Depot. The specimen of the Identity Card is Ex. MW- 1/20. The Identity Card Ex. MW-1/20 and the Card produced by the workman are different. Identity Card bears Staff Number and bears the signatures of Deputy General Manager (Personnel), whereas the

Entry Pass does not bear the staff number and is not signed by a competent authority i.e. Deputy General Manager (Personnel). The Card produced by the workman cannot be treated as Identity Card simply on the ground that from the words "Identity Card/Entry Card" printed on such card the word "Identity Card" has not been erased it does not become I-Card. From the payment vouchers, work orders Ex. MW-1/11 to Ex. MW-1/16, it is clear that the workman had worked through contractors M/s. F.K. Enterprises, Navjot Enterprises and M/s. Yadav Construction and Fabrication. This fact is further proved by the letters Ex. MW-1/17 to Ex. MW-1/19 issued by the concerned contractors. The workman has not disputed the genuineness of these documents. It was further argued that the photo copies of Log Book and Log Sheets cannot be relied upon unless the genuineness of the photo copies are proved either by the writer of the documents or compared with the original documents. Workman even refused to name the officer of the company who have provided the photo copies of the documents to him. These documents cannot be relied upon to establish the relationship of employer and employee.

In the very first place it is important to note that the well settled principle of law is that the person who sets the plea of existence of relationship of employer and employee, the burden will be upon him. In Saroop Dass Gupta Verses First Labour Court of West Bengal 1975 Lab. IC 202 it was held "where a person asserts that he was a workman of a company and it is denied by the company, it is for him to prove the fact. It is not for the company to prove that he was not an employee of the company but of some other person."

So in the present case the burden of proof is on the workman to establish the employee-employer relationship between him and the Co-operation.

In Chintaman Rao Vs State of MP AIR 1958 SC 388 the Hon'ble Supreme Court observed "The concept of employment involves three ingredients (1) Principal Employer (2) Employee (3) Contract of employment. The employer is one who employs i.e. one who engages the services of other persons. The employee is one who works for another for hire. The employment is a contract of service between the employer and the employees where-under the employee agrees to serve an employer subject to his control and supervision.

Now there is a difference between 'contract of service' and 'contract for service'. In order to establish the employer and employee relationship, the workman has to prove that there was a 'contract of service' between him and the employer. There is nothing of that sort in the present case. At one time the supervision and control used to be considered as the *prima facie* test for determining the relationship of employee and employer but as the Hon'ble Supreme Court in Workman of Nilgiri Cooperative

*Marketing Society Limited Versus State of Tamil Nadu* 2004-II-LLJ 253 observed that "No single test- be it control test organization test or any other test was determinative test for determining the jural relationship of employer and employee". The Hon'ble Court held that the court is required to consider several factors which would have a bearing on the result: (a) Who is appointing authority? (b) Who is pay master? (c) Who can dismiss? (d) How long alternative service lasts? (e) The extent of control and supervision (f) The nature of job e.g. whether it is professional or skilled work? (g) Nature of establishment? (h) The right to reject.

Here in the present case there is no sanctioned post of a helper or cleaner for the heavy vehicle (Tanker Lorry). There was no advertisement for the post and Employment Exchange had not sponsored the name of the workman to any such post. No appointment letter was issued to the workman. There is nothing to show that the workman was being paid salary or wages by the Corporation and the Corporation was his pay master. Also there is nothing to show that he was under the control and supervision of the Corporation. The Log Sheets and Log Book filed by him have not come from proper custody. On the basis of these documents it may be said that the workman had worked on the vehicle but it does not prove the fact of the employment of the work man with the Corporation. The letters of the contractors Ex. MW-1/17 to MW 1/19, the genuineness of which has not been challenged by the workman goes to show that he was in the service of the contractors. Moreover, the job of a helper of cleaner is not a job of a professional or skilled worker and there is nothing on record to show that the management had disciplinary control over the workman and has a right to terminate his services.

Log Sheets or Log Book and for that purpose even an Identity Card cannot be treated as an evidence of employer-employee relationship. The evidence of retired driver of the vehicle G.P.S. Brar is also not sufficient to prove the said relationship. He has taken contradictory stand in his two affidavits. He is not a reliable witness. It is, therefore, held that the workman was not an employee of the management and there was no relationship of employer-employee between the management and the workman. Issue No.1 is decided against the workman.

#### Issue No. 2

As the workman was not in the employment of the management, the question of terminating his services by management does not arise. There is no termination order issued by the managements. There is no question of holding any enquiry against the workman and issuing him a notice or paying him compensation by the management. Issue No. 2 is decided against the workman.

#### Issue No. 3

From the above going discussion and findings it is clear that the workman was not in the employment of the

management and the later did not terminate his service. Workman is not entitled to any relief. The reference is answered accordingly, against the workman. Let two copies of the award be sent to the Central Government after due compliance.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 3019.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन आयल कारपोरेशन लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, ईरनाकुलम के पंचाट (संदर्भ संख्या 14/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-30012/2/2008-आई आर(एम)]

जोहन तोपनो, अवर सचिव

New Delhi, the 16th November, 2010

S.O. 3019.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 14/2008) of the Central Government Govt. Indus. Tribunal-cum-Labour Court, Ernakulam now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Indian Oil Corporation Ltd. and their workmen, which was received by the Central Government on 16-11-2010.

[No.L-30012/2/008-IR(M)]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

**Present :** Shri. P.L.Norbert, B.A., LL.B., Presiding Officer Friday, the 22nd day of October, 2010/30th Ashinam, 1932

I.D. 14/2008

Union	The General Secretary Ernakulam Jilla Motor Thozhilali Sangam, BMS District Committee Office, IS Press Road, Kochi (Kerala)-18. By Adv. Shri. T.C.Krishna.
Management	The General Manager (HR), Indian Oil Corporation Ltd., Southern Region, Indian Oil Bhawan, 139, Uttamar Gandhi Road, Chennai - 600034.

By Advs. M/s. Menon & Pai.

This case coming up for hearing on 19-10-2010, this Tribunal-cum-Labour Court on the same day passed the following.

**AWARD**

This is a reference made under Section 10(l)(d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of M/s. Indian Oil Corporation in terminating Sh. Sukumaran w.e.f. 30-6-1989 as Driver from its services is fair and justifiable? If not to what relief he is entitled to?"

2. The facts of the case in brief are as follows:—

The union has questioned the legality of termination of service of Sri. Sukumaran. According to the union Sri. Sukumaran had joined the service of management as casual driver in the year 1984 and was working as driver in the petroleum tanker at Feroke Depot. He continued to work as such till 30-06-1989, when his service was terminated by the management. He had done continuous service. However the termination was effected without following the provisions of Industrial Disputes Act. All other similar workers were absorbed in the service of the management. Therefore the union prays that the worker may be reinstated in service.

3. According to the management the corporation had petroleum tanker for the purpose of transportation of petroleum products from the storage depot to dealers in various places. The management had, besides the permanent drivers, a few casual drivers as well for the purpose of meeting emergent situations. Thus Sri. Sukumaran was also engaged. However he worked only up to 29-06-1989. Thereafter he did not turn up for engagement. After 1995 the distribution of petroleum to dealers is done by 3rd parties. Now the corporation does not have tankers. Though the worker stopped the work in 1989 he did not raise a claim until 2008. There is delay in raising the dispute. There is no termination of service by the management. The management disputes the contention with regard to alternate employment after 29-06-1989. The claim is liable to be rejected.

4. In the light of the above contentions the following points arise for consideration.

1. Is the termination legal? .

2. To what relief, if any, the worker is entitled?

5. The evidence consists of the oral testimony of WW 1 and documentary evidence of Exts.W1 to 4 on the side of the union and MW1 on the side of the management.

6. Point No.1:—It is an admitted fact that Sri. Sukumaran was engaged as casual driver in the management storage depot at Feroke of Kozhikode district. According to the union his service was terminated on 30-6-1989. But according to the management he did not turn up for work after 29-6-89. It is admitted in the written

statement of the management that the distribution of petroleum products from storage depot to dealers was done by the management directly up to 1995 and thereafter through contractors. That means there was work for drivers, if not continuously, at least intermittently up to 1995. The worker has produced Exts.W1 and 2 identity cards. They show that he had worked up to 1987. The worker had questioned the termination and sought a direction for reinstatement as a temporary driver by filing writ petition before Hon'ble High Court of Kerala. Ext. W3 is the judgment in O.P. The writ petition was disposed of on 12-01-2006 without prejudice to the rights of the worker under Industrial Disputes Act. Ext.W4 is a reply of the management to the representation of union for employment and absorption of worker in service. The reply is that the worker had not reported for engagement for a long time after 1989 and he could not be empanelled as casual labourer since he was not in service at the relevant time. Hence his request for reinstatement was rejected. Besides these documents the worker has given oral evidence. He says that he was engaged as driver from 1984 to 1989. However he did not deny the suggestion of management in the cross-examination that he was engaged last on 29-06-1989. He admits that empanelment of casual labourers was done either in 1995 or 1998 and he was not in service at that time. He also admits that after 1989 he had alternate employment sometimes. According to MW1 Sr. Depot Manager employment of casual drivers continued till 1996 and none of them were terminated from service by the management. In 1996 as per the direction of the department all available casual labourers were empanelled and later absorbed in service. When the distribution of petroleum products was entrusted to contractors such absorbed employees were redeployed for some other work other than driving in the management. However the worker was not working as casual driver after 29-6-1989. Therefore he could not be empanelled in 1996.

7. The worker is questioning the legality of termination. The burden is on him to show that his services were terminated by the management. If he has by his own accord stopped work, it does not amount to termination of service. Assuming that he was terminated from service on 30-06-1989 still he has to show that he has done continuous service of 240 days minimum preceding the termination. There is absolutely no evidence on the file to prove continuous service, much less 240 days preceding his termination on 30-06-1989. Therefore he cannot contend that S.25-F of ID Act or any other provision of the Act is violated by the management. Thus both termination and continuous service are not proved by the union.

8. Though absorption is not an issue referred a contention was raised that the worker was not empanelled for absorption while similar other casual workers were empanelled. As mentioned above the worker has admitted in the box that at the time of empanelment he was not in service. He admits that the empanelment was sometime

between 1995 and 1998. Therefore there was no chance for including his name in the list for the purpose of absorption. In view of the above circumstances it has to be found that there is no termination of service and no illegality is committed by the management in the matter of employment of the worker.

9. Point No. 2:— In the light of the above findings it follows that the worker is not entitled for any relief including notice of termination or compensation as contemplated under S.25-F of ID Act.

In the result an award is passed finding that there is no termination of service of worker by the management and no illegality is committed by the management in the matter of employment of the worker Sri. Sukumaran.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 22nd day of October, 2010.

P. L. NORBERT, Presiding Officer

#### Appendix

#### Witness for the Union :

WW1 — Sukumaran, workman.

#### Witness for the Management :

MW1 — Sudhakaran P.V., Senior Depot Manager.

#### Exhibits for the Union :

W1— Identity Card of worker -

W 2— -do -

W 3— Judgment in OP.No.9208/1999 dtd. 12-01-2006 of High Court of Kerala.

W4— Letter No.P/ 1741/VIP dtd. 31-10-2000 sent by management to the union.

Exhibit for the Management --- Nil.

नई दिल्ली, 16 नवम्बर, 2010

का.आ. 3020.—औद्योगिक विवाद अधिनियम, 1947 ( 1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एस. कुमार हैंडलिंग एजन्सी कोन्ट्रैक्टर एम.एम.टी.सी बारबोर केन्जोर उड़ीसा के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 32/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था ।

[ सं. एल-29011/5/2005-आई आर(एम) ]  
जोहन तोपनो, अवर सचिव

New Delhi, the 16th November, 2010

**S.O. 3020.**— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 32/2005) of the Central Government Industrial Tribunal/Labour Court, Bhubaneswar now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. S. Kumar Handling Agency Contractor MMTC Barbil Keonjhar Orissa and their workman, which was received by the Central Government on 16-11-2010.

[ No. L-29011/5/2005-IR(M) ]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

#### Present:

Shri J. Srivastava,  
Presiding Officer, C.G.I.T.-cum-Labour  
Court, Bhubaneswar.

#### INDUSTRIAL DISPUTE CASE NO. 32/2005

Date of Passing: Award - 7th October, 2010

#### Between:

The Management of M/s. S. Kumar Handling Agency,  
M.M.T.C. Railway Siding, Station Road,  
P.O. Barbil, Dist. Keonjhar, Orissa.

...1st Party-Management.

(And)

Their workman represented through the  
General Secretary, North Orissa Workers Union,  
At./Po. Barbil, Dist. Keonjhar, Orissa.

...2nd Party-Union.

#### APPEARANCES:

None.

For the 1st Party-  
Management

Shri B.S. Pati,  
General Secretary

For the 2nd Party-  
Union.

#### AWARD

The Government of India in the Ministry of Labour has referred the present dispute existing between the employers in relation to the Management of S. Kumar Handling Agency, M.M.T.C. Railway Siding and their workman under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act vide their Letter No. L-29011/5/2005-IR (M), dated



11-11-2005 to this Tribunal for adjudication to the following effect:

"Whether the demand of the North Orissa Workers Union At/Po. Barbil, Dist Keonjhar demanding 20% bonus and exgratia @ Rs. 3000 for the accounting year 2003-2004 to all workers working under M/s. S.K. Handling Agency, Wagon Loading Contractor, Barbil Railway Siding, MMTC, Barbil is justified? If not, what relief the workmen are entitled to?"

2. Pursuant to the letter of reference the 2nd Party-Union preferred its statement of claim. The claim statement contains the averments mentioning that the 1st Party-Management has employed a number of employees for smooth functioning of its activities and the 2nd Party Union is formed of such employees who are workmen within the meaning of Section 2 (s) of the Industrial Disputes Act, 1947. The 2nd Party Union on behalf of the employees raised the demand for payment of bonus at the rate of 20% and exgratia of Rs. 3000 for the accounting year 2003-04. The 1st Party-Management did not respond to the demand of the Union. Therefore, the Union raised an industrial dispute before the Asstt Labour Commissioner (Central), Rourkela which was admitted into conciliation. But because of non-cooperation and adverse attitude of the 1st Party-Management, the conciliation ended in failure and consequently the present reference was made. The bonus is dependant on the profit made by the employer and the concept of bonus is nothing but profit sharing among the partners in the process of production/business. For arriving the duty at the figure of profit from which the bonus is to be paid to the employees, the duty is cast on the employer to establish the same by relevant and acceptable evidence. In the instant case the 1st Party-Management had neither shared with the information pertaining to its financial activities to the Union nor to the conciliation officer. The said documents are in the custody of the 1st Party-Management and unless the same are placed before this Tribunal/Court it will not be possible to arrive at correct percentage of bonus and exgratia to be paid to the employees of the 1st Party-Management for the accounting year 2003-2004. It has therefore been prayed that the demand of the Union regarding payment of 20% bonus and exgratia of Rs. 3000 for the accounting year 2003-04 to all workers of the 1st Party-Management be fulfilled and the payment be made accordingly.

3. The 1st Party-Management despite having given so many dates and opportunities did not file any written statement. Hence the case was set *ex parte* against the 1st Party-Management by order dated 8-6-2010.

4. The 2nd Party-Union has filed the sworn Affidavit of Shri Bhabani Shankar Pati, General Secretary of the North Orissa Workers Union who has put forward and supported the claim of the Union for grant of bonus at the rate of 20% of the wages and exgratia at the rate of Rs. 3000 for the accounting year 2003-04 to all workers working under M/s. S.K. Handling Agency, Wagon Loading Contractor, Barbil Railway, Siding MMTC, Barbil. The claim of the 2nd Party-

Union has not been resisted or denied by the 1st Party-Management by filing any written statement or evidence. Therefore, the claim of the 2nd Party-Union with regard to payment of bonus at the rate of 20% of wages and exgratia of Rs. 3000 for the accounting year 2003-04 is to be held justified on face of the uncontroverted *ex parte* evidence of the 2nd Party-Union and the 1st Party-Management is liable to be directed to make payment of 20% bonus and exgratia at the rate of Rs. 3000 for the accounting year 2003-04 to all workers working at that time under M/s. S.K. Handling Agency, Wagon Loading Contractor, Barbil Railway, Siding MMTC, Barbil within three months from the date of passing of this Award. The award is so passed and the directions are so issued.

5. Reference is answered accordingly.

Dictated & Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2010

क्र.आ. 3021.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार न्यू इंडिया एश्योरन्स कंपनी लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, भुवनेश्वर को संदर्भ (संदर्भ संख्या 32/2009) को प्रकाशित करती है, जो केन्द्रीय प्रचार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-17011/3/2009-आई आर (पब.)]  
जोहन तोपनो, अवर सॉसरी

New Delhi, the 16th November, 2010

S.O. 3021.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 32/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of New India Assurance Co. Ltd. and their workmen, which was received by the Central Government on 16-11-2010.

[No. L-17011/3/2009-IR (M)]

JOHAN TOPNO, Under Secy.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT,  
BHUBANESWAR**

**Present :**

Shri J. Srivastava,  
Presiding Officer, C.G.I.T.-cum-Labour  
Court, Bhubaneswar.

**Industrial Dispute Case No. 32/2009**

**Date of Passing Award - 8th October 2010**

**Between:**

The Management of the Regional Manager,  
New India Assurance Co. Ltd., Bhubaneswar

Regional Office, 550 000, 1st Floor, Alok Bharati Tower, Sahid Nagar, Bhubaneswar.

...1st Party-Management.

(And)

Their workman represented through the General Secretary, Orissa State General Insurance Employees Association, C/o. New India Assurance Co. Ltd., DO-I, Cantonment Road, Cuttack - 753 001.

...2nd Party-Union.

#### APPEARANCES:

None : For the 1st Party-Management

None : For the 2nd Party-Union

#### AWARD

The Government of India in the Ministry of Labour has referred the present dispute existing between the employers in relation to the Management of New India Assurance Co. Ltd., and their workman under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act 1947 vide their Letter No. L- 17011/ 3/2009-IR (M), dated 6-7-2009.

2. The dispute mentioned in the schedule of the letter of reference is as follows :—

"Whether the action of the Management of New India Assurance Company Ltd., in transferring Shri H. K. Kar from Choudwar to Paradip within one year of service is legal and justified? What relief the workman is entitled to?"

3. The 2nd Party-Union raising the dispute has filed its statement of claim in which it is stated that Shri H. K. Kar, Assistant(C) was transferred from Cuttack District Branch Office of New India Assurance Company Ltd. to Choudwar Branch Office vide New India Management Order dated 22-3-2007 and joined there on 26-3-2007. Shri Kar was entitled to get Rs. 400 per month as disturbance allowance as he was transferred from Cuttack city to a distinctly different city as per provisions of Para-5 of the Transfer Mobility Policy (TMP) formulated by the New India Assurance Company. He was not to be transferred within a period of three years from the date of joining at Choudwar to another head quarter as per rule. But he was again issued with a transfer order dated 21-7-2008 which was served on him on 31-7-2008 in violation of the provisions of the TMP. The 2nd Party-Union whereupon raised an industrial dispute before the Asst. Labour Commissioner (Central) vide its letter dated 11-8-2008, but the matter ended in failure due to non-cooperation of the New India Management. Taking advantage of the failure of the conciliation proceedings, the 1st Party-Management forcibly relieved Shri Kar from Choudwar Branch on 19-1-2009 and thereby Shri Kar was forced to join at Paradip Branch office on 21-1-2009. It is to be noted that Para-4 of the TMP was not applicable to Shri H. S. Kar as the job rotation within the same station is applicable to the employees who have completed five years of continuous working in a particular office. The 1st Party-Management

did not even release the financial benefits in favour of Shri Kar till date and thereby caused willful hardship to him.

4. The 1st Party-Management is treating Cuttack and Choudwar as two separate cities and releasing transfer benefits to the Class-I Officers transferred under TMP and not disturbing them from Choudwar in the next year TMP exercise but in the case of Class-III employees they are treating the said two towns as one town in order to deprive transfer benefits to Class-III employees. Therefore, it has been prayed that necessary orders for transfer of services of Shri H. K. Kar from Paradip Branch to Choudwar Branch be passed.

5. The 1st Party-Management inspite of putting in appearance in the case had not filed any written statement till date. Therefore the case was ordered to be proceeded ex parte against the 1st Party-Management on 29-7-2010 and the 2nd Party-Union was called upon to file the ex parte evidence by 20-9-2010. But the 2nd Party-Union did not file any ex parte evidence on the date fixed nor appeared in court. Therefore the case was put up for orders on 8-10-2010.

6. Although the 2nd Party-Union has put forward its case against the 1st Party-Management relating to unfair transfer of Shri H. K. Kar alleged to be violative of the provisions of the TMP (Transfer Mobility Policy) of the New India Assurance Company Limited, yet it is to be seen whether the transfer order of Shri H. K. Kar from Choudwar to Paradip within one year of service can be held illegal and unjustified in view of the provisions of the said TMP.

7. The 2nd Party-Union has failed to file any evidence in support of its claim. Only certain documents in the shape of xerox copies relating to policy document and transfer order etc. have been filed. The policy document has to be given relevance, but it cannot be gathered from it that the 1st Party-Management is not authorized or entitled to transfer its employee from one station to another within one year of his posting at that station. There may be exigencies or pressing needs when an employee can be transferred within a short span from one station to another. The 2nd party Union could not show that the 1st Party-Management has transferred Shri H. K. Kar from Choudwar to Paradip within one year of service without any reasonable cause and in gross violation of the provisions of the TMP. With mere contention without the strength of any evidence it cannot be held that the workman is entitled to the relief claimed and the 2nd Party-Union has been successful to prove its case.

8. In the result the action of the Management of New India Assurance Company Limited in transferring Shri H. K. Kar from Choudwar to Paradip within one year of service cannot be held as illegal and unjustified and Shri Kar is not entitled to any relief.

9. Reference is answered accordingly.

Dictated & Corrected by me.

J. SRIVASTAVA, Presiding Officer

नई दिल्ली, 16 नवम्बर, 2010

**AWARD**

**का.आ. 3022.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण मध्य रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 15/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-41014/01/2010-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 16th November, 2010

**S.O. 3022.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (ID No. 15/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial Dispute between the management of South Central Railway and their workmen, received by the Central Government on 16-11-2010.

[No. L-41014/01/2010-IR (B-1)]

RAMESH SINGH, Desk Officer

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT  
HYDERABAD**

**PRESENT:** Shri VED PRAKASH GAUR, Presiding Officer

Dated the 2nd day of August, 2010

**INDUSTRIAL DISPUTE L.C. No. 13/2006****BETWEEN:**

Sri J. Mohan Rao  
S/o J. Krishna Rao,  
C/o Sri R. Yogender Singh,  
Advocate, D. No. 6-3-628/21,  
Khairatabad,  
Hyderabad.

....Petitioner

**AND**

- 1 The General Manager,  
South Central Railway,  
Rail Nilayam,  
Secunderbad,
- 2 The Senior Divisional  
Administrative Officer, BG,  
South Central Railway,  
Secunderbad

.... Respondents

**APPEARANCES:**

For the Petitioner : Sri R. Yogender Singh, Advocate

For the Respondent : Sri A. Prithivi Raj, Advocate

This petition under Sec. 2 A (2) of the I.D. Act, 1947 was filed by Sri J. Mohan Rao, Ex. Yard Khalasi in light of the judgment of the Hon'ble High Court of Andhra Pradesh reported in W.P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotten Corporation of India and two others to reinstate him in the service with full back wages and other service benefits.

2. Petitioner filed his claim statement stating therein that he was appointed as Khalasi (regular) in the year 1976 and during employment the Petitioner got some mental ailment, for which he was referred to medical treatment at Railway Hospital, Secunderbad. It is submitted that he was under treatment from 20-1-1980 to 3-9-2002 for 'mental depression'. Petitioner approached Respondents after his recovery from the ailment and made representations dated 26-2-2003, 15-10-2005 and 25-5-2005. That Respondent has not accepted the requests of the Petitioner. He prayed for a direction to the Respondent to reinstate Petitioner's son with continuity of service, back wages and with all consequential benefits.

3. Respondent has filed counter statement. It has been stated that Petitioner has filed this petition after a lapse of 26 years and also this case is not only barred by limitation but also records are not available because maximum period of preservation of records is only 10 years and thereafter all records will be destroyed, as such the petition be dismissed.

4. Case is fixed for Petitioner's evidence. Petitioner absent of 2-8-2010, as such petition is dismissed in absence of Petitioner. Therefore, a 'Nil' Award is passed in absence of Petitioner concerned.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 2nd day of August, 2010.

VED PRAKASH GAUR, Presiding Officer

**Appendix of evidence**Witnesses examined for  
the Petitioner

NIL

Witnesses examined for  
the Respondent

NIL

**Documents marked for the Petitioner**

NIL

**Documents marked for the Respondent**

NIL

नई दिल्ली, 16 नवम्बर, 2010

**का.आ. 3023.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट



बैंक के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण/श्रम न्यायालय 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 45/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-12012/26/2005-आई आर(बी.1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 16th November, 2010

S.O. 3023.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 45/2005) of the Central Government Industrial Tribunal-cum-Labour Court,-1, Chandigarh as shown in the annexure, in the industrial dispute between the management of State Bank of India and their workmen, recieved by the Central Government on 16-11-2010.

[No. L-12012/26/2005-IR (B-I)]

RAMESH SINGH, Desk Officer

#### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,  
CHANDIGARH**

Case I.D. No. 45/2005

Shri Ajit Singh C/o Shri J.G Verma, General Secretary, SBI Staff Congress, Chandigarh Circle 3030/1, Sector-44-D, Chandigarh.

...Applicant

**Versus**

The Assistant General Manager State Bank of India,  
P-III, Zonal Office, Panchkula, Haryana.

...Respondent

#### APPEARANCES

For the Workman : Shri Raj Kaushik

For the Management : Shri S.K. Gupta.

#### AWARD

Passed on :- 27-10-10

Government of India vide notification No. L-12012/26/2005-IR(B-I), dated 27-10-2005 by exercising its powers under Section 10 of the Industrial Disputes Act (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

“Whether the action of the Management of State Bank of India, Panchkula in imposing the punishment of bringing down the pay of Shri Ajit Singh, Asstt. Cashier vide Order dated 28-02-

2002 by two stages in the scale of pay is legal and justified? If not, to what relief the concerned workman is entitled to?”

After receiving the reference parties were informed. Parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he has paid amount of Rs. 28,440 at the time of presenting of token and this fact that he has not paid the amount has not been proved before the enquiry officer. The enquiry officer has not summoned the complainant Shri Satyawar in evidence who has complained against him for non delivery of Rs. 28,440. On charge no. 2, it is contended by the workman that every transaction was duly authorized and permitted by the bank. Apart from it, the workman has said much about fairness of enquiry and has challenged the enquiry proceedings on the ground of violation of the principle of natural justice.

The management of respondent bank has opposed the contention of the workman by filing written statement. It is contended by the management that there was a written complaint against the workman and his brother official Shri Mange Ram filed by Shri Satyawar who presented a cheque to the workman for Rs. 28,440. It was alleged in the complaint that token was received by the workman Shri Ajit Singh but payment was not made good. Subsequently a FIR was lodged against Shri Ajit Singh and Shri Mange Ram. Both have applied for anticipatory bail. The anticipatory bail order clearly speaks that workman along with Shri Mange Ram have paid the amount to the complainant after lodging FIR. It is also contended by the management of the respondent bank that workman has compromised with Shri Satyawar resulting non turning of Satyawar in enquiry proceedings. It is further contended by the management of respondent bank that workman along with Shri Mange Ram was acquitted by the criminal court of competent jurisdiction on the basis of the compromise entered into between the workman and Shri Satyawar.

Apart from it the management has conceded that proper and fair enquiry was conducted against the workman. The punishment was lesser then the gravity of misconduct. On charge no. 2, it is contended by the bank that there is no permission of any officer of the bank for the said transactions.

As per the provisions of the Industrial Disputes Act, and the mechanism adopted by this Tribunal, parties were heard on the preliminary issue on the fairness of enquiry. As per the mechanism adopted by this Tribunal personal presence of the workman on the date of hearing on preliminary issue on the fairness of enquiry is mandatory. The workman turns up. He was heard in person along with learned counsel for the parties. The issue of fairness of enquiry was decided by this Tribunal vide order dated 15-12-2009. Order dated 15-12-2009 shall be the part of this award. Vide order dated 15-12-2009, it was

held by this Tribunal that a fair, proper and reasonable enquiry was conducted by the management against the workman. It was also held by this Tribunal that there has been no violation of any rules of the principle of natural justice. Both of the parties were afforded the opportunity for adducing evidence on perversity, if any, in decision making and on the quantum of punishment. Order dated 7-04-2010 makes it clear that the workman has stated that he is no more interested to adduce any evidence and the industrial dispute may be decided on the basis of the documentary evidence. The same statement was given by the representative of the management. Accordingly, evidence of the parties on the perversity, if any, on decision making of the enquiry officer and the disciplinary authority and on quantum of punishment was also closed. Parties were also heard at length. The learned counsel for the workman has contended that the statement in bail order regarding the payment of amount in question has no relations with the workman. Shri Mange Ram might have paid the amount. It was a co-incidence that application of the workman and Shri Mange Ram for anticipatory bail was disposed off by the Court by a common order. There is no evidence on record that the said amount was deposited/paid by the workman.

Learned counsel for the management has contended and argued that disciplinary proceedings commenced after the acquittal of the workman from the criminal case. Acquittal was the outcome and result of the compromise between Shri Satyawar on one part and Shri Mange Ram and workman on the other. The document on record clearly established that amount in question was not paid by the workman to Shri Satyawar at the time of presenting the token. It was subsequently paid in a compromise through gram panchayat. Thus, the documents clearly proved and established that workman was guilty of non-payment of amount in question at the time of receiving the token at counter and has pocketed the amount. Under such scenario where Shri Satyawar compromise, there was no need for recording his statement because the documents clearly established and proved the charges levelled against the workman.

As stated earlier, the charge against the workman is that he has not paid the amount of Rs. 28,440 to Shri Satyawar at the time of presenting the token. The workman in connivance with other employee Shri Mange Ram has pocketed the amount. The contention of the workman that he has been acquitted by the criminal court of competent jurisdiction is of no use because the nature of the departmental proceedings and the proceedings before this Tribunal are altogether different then the proceedings before the Civil Courts or the Criminal Courts. The workman might have been acquitted by the criminal court of competent jurisdiction but if by independent evidence the charge levelled against the workman has been proved there is no bar in awarding the punishment to the workman for

misconduct as per the rules irrespective of the fact that he was acquitted in the criminal charge levelled against him by the Criminal Court of competent jurisdiction. The materials on record are the bail order passed by Additional Sessions Judge on anticipatory bail application of workman and Shri Mange Ram and the acquittal order passed by the Court on the basis of the compromise. The cumulative effect of both of the documents is that amount in question was paid to Shri Satyawar after lodging FIR in a compromise. It is not the case before this Tribunal that amount was paid twice to Shri Satyawar and workman and Shri Mange Ram had to pay the amount just to save themselves for criminal proceedings and the departmental proceedings. It is the only contention of the workman that amount was paid by Shri Mange Ram. The application of the workman for anticipatory bail was heard jointly. There was a joint trial of both of the persons, hence it cannot be said that workman has no concern with the payment of amount in question to Shri Satyawar. It was the outcome of the payment of amount after FIR that anticipatory bail was allowed and both of the accused persons acquitted. The workman cannot be selective. In the Criminal Court he has taken the benefit of payment of amount and before departmental proceedings he is saying that he has not paid the amount but the same was paid by Shri Mange Ram. The payment of amount to Shri Satyawar resulted the relief and benefit to the workman before the Criminal Court. Moreover, the workman was on the seat responsible for the payment of amount in question to Shri Satyawar and Shri Mange Ram was on another seat in the bank. The opportunity for non payment was to the workman none else. Accordingly, the documentary evidence and circumstances clearly proved that the amount was not paid to Shri Satyawar at the time of the receiving the token and the charge no. 1 was established and proved against the workman.

So far as charge no. 2 is concern, it is wrongly held to be proved against the workman. Receipts filed by the workman shows that every transaction was under the authority of the bank officers. Moreover, in the ordinary course of the nature such transactions are presumed under authority from the employee of the prudence in the similar circumstances. Thus, I am of the view that enquiry officer has wrongly held charge no. 2 be proved against the workman.

Regarding the gravity of the charge no. 1 and the punishment awarded to the workman, I am of the view that disciplinary authority has already been lenient in awarding the punishment and no interference by this Tribunal is called for. Accordingly, there is no force in the claim of the workman. The industrial dispute and reference is accordingly answered. Let Central Government be approached for publication of the award, and thereafter, file be consigned to record room.

G. K. SHARMA, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2010

क्र.आ. 3024.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन.एल. के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 17/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[ सं. एल-40012/113/2004-आई आर(डी यू) ]

जोहन तोपनो, अवर सचिव

New Delhi, the 18th November, 2010

S.O. 3024.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2005) of the Central Government Industrial Tribunal-cum-Labour Court- Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 18-11-2010.

[ No. L-40012/113/2004-IR (DU) ]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present :- Shri Ved Prakash Gaur Presiding Officer

Dated the 29th day of September, 2010

Industrial Dispute No. 17/2005

#### BETWEEN:

Smt. T. Ludhiya,  
W/o Sri M. Bramanjaneyulu,  
C/o Sh. P. Appa Rao Reddy,  
Distt. Secretary, NUMBSNL W (FNTO),  
No. 252, Labour Colony, Vidyadharapuram,  
Vijayawada-12 ....Petitioner

AND

The General Manager,  
Bharat Sanchar Nigam Limited,  
Vijayawada .... Respondent

#### APPEARANCES :

For the Petitioner : M/s. C. Vijaya Shekar Reddy &  
S. Vijaya Venkatesh, Advocates

For the Respondent : Sri P. Bhaskara Mohan, Advocate

#### AWARD

This reference has been received from the Government of India, Ministry of Labour by its order No.

L-40012/113/2004-IR (DU) dated 13-1-2005 under section 10(1)(d) of the I.D. Act, 1947 to resolve the dispute between the management of Bharat Sanchar Nigam Ltd., and their workman Smt. T. Ludhiya. The term of reference is as under :

#### SCHEDULE

“Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Smt. T. Ludhiya Ex. Casual Mazdoor is justified? If not, to what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 17/2005 and notices were issued to the parties.

2. Petitioner workman has filed claim statement stating therein that she was appointed as a casual mazdoor in department of Telecom and Bharat Sanchar Nigam Ltd., on 27-8-84 in the Office of SDE-II Vijayawada after considering her past service with the department. She has been discharging his duties to the best of her abilities as per the instructions given by superiors.

3. She worked in the above said department for more than 19 years but her services were not regularized by Respondent. Instead, when she sought regularization of her services the management arbitrarily, illegally terminated her services. After termination of the services the workman has raised conciliation proceedings which resulted in failure and conciliation officer submitted failure report to the Government of India of Ministry of Labour and Employment which has referred the dispute to this tribunal. She has further alleged that juniors to her have been regularized but Petitioner workman's case has not been considered for regularization when the Petitioner insisted for regularization. Her services were terminated w.e.f. 12-11-2003. She has prayed for quashment of the termination order and to reinstate her with direction to regularize her in the service with full back wages.

4. Counter statement has been filed by the Respondent wherein they have stated that the Petitioner was never appointed in the department of Telecom/Bharat Sanchar Nigam Ltd. In fact the original alleged certificate issued by Assistant Engineer Railway Electrification Project which was submitted before Assistant Labour Commissioner(C) was said to be not traceable. On the enquiry it was revealed that the project was closed long back and no further details are available in that regard. The document did not disclose any proof of employment with DOT/Bharat Sanchar Nigam Ltd. They have further alleged that the SDE.II (TRG Coordination), Vijayawada addressed letter to AGM(A), O/o GMTD, Bharat Sanchar Nigam Ltd., Vijayawada reveals that nobody by name Smt. T. Ludhiya had ever worked in Sub Divisional Office as casual mazdoor.

5. The contention of the Petitioner that she worked for more than 19 years is unfounded and baseless. There is no proof of employment and termination of the Petitioner

from the service on alleged dated i.e. 12-11-2003. The claim is misleading and unfounded. It is further been alleged that there is ban from 1985 onward that mazdoor can not be engaged for more than 100 days in a year. During 1985 it was only for 60 days in a year which was later raised to 100 days. Petition deserves to be dismissed.

6. Both the parties filed their respective evidence. The workman has filed a self prepared statement showing her attendance. She has further filed alleged xerox copy of statement that Smt. T. Ludhiya has worked for 2184 days at Gannavaram from 7-2-96 to 31-1-2002. The workman has filed xerox copy of the said statement and her own affidavit as her examination in chief and has presented herself for cross examination and has been cross examined by Respondent. The workman has filed identity card Ex. W1, alleged original letter dated 27-8-84 as Ex. W2, statement of working for more than 4 hours at SDE(P), Gannavaram Ex. W3, book showing her number of working days from 7-3-96 to 1-12-96 Ex. W4, self declaration as Ex. W5 and xerox copy of application filed before Assistant Labour Commissioner (C) as Ex. W6.

7. Respondent has also filed documents Ex. M1 to M10 which are letters from SDE, SDOP and circulars and letter of department of Telecommunication which will be discussed in the latter paragraphs. The Respondent has filed affidavit of Sri K. Surya Chandra Rao and has presented him for cross examination.

8. One Sri K. Mohan Rao has also filed his affidavit on behalf of the management wherein he has refuted the allegations made by the Petitioner and has stated that Petitioner was never employed in the department of Telecommunications nor he was terminated from the service as alleged by him.

9. Learned Counsel for the Respondent has filed written arguments supported with the latest judgement of the Hon'ble Supreme Court of India in CA No. 292/2002 in between Bharat Sanchar Nigam Ltd., and Teja Singh. None had appeared for arguments on behalf of the Petitioner workman as such, I have myself gone through the claim statement and documents produced by the claimant and counter statement, documents produced by the Respondent and arguments advanced on behalf of the Respondents.

10. This tribunal has to consider :—

(I) Whether the action of the management in dismissing the services of Smt. T. Ludhiya, ex-Casual mazdoor is justified?

(II) If not, to what relief the workman is entitled?

11. **Point No. (I):** To consider the legality and justification of the alleged dismissal order, this tribunal has to see whether Petitioner Smt. T. Ludhiya was actually appointed and worked under the Bharat Sanchar Nigam

Ltd., management or not? Respondent has challenged the very existence of relationship of master and servant or employee or employer between the Petitioner workman and the management. The Petitioner has stated in her claim statement that she was appointed in the department of telecommunication and joined on 27-8-84. This fact has been challenged by the Respondent, in that case it was the duty of the Petitioner to substantiate that she has actually worked with the department of telecommunication from 27-8-84. The Petitioner has not been able to produce any single piece of paper to show that she was employed by the Department of Post and Telegraphs on 27-8-84. In her cross examination she has stated that Ex. W1 is the identity card issued by the Telecom District, Vijayawada and Ex. W2 is the appointment order but to the utter surprise it is found that alleged Ex. W2 is not an appointment order, because it is mentioned in this document that "Following candidates who have been working at different places beyond 16 KM from Vijayawada and Machilipatnam (Head Quarters of employment exchange) were interviewed on 27-8-1984 at Guduwada and were selected as casual mazdoors on daily wages." This letter has not been proved by the Petitioner. More over this Ex. W2 shows that Smt. T. Ludhiya was selected as casual mazdoor, whether she was appointed or not it does not disclose. It is settled law that selection for a post is not a proof of her appointment. As such it can not be said that Ex. W2 is appointment letter. Scandly she has submitted self prepared document, wherein it is mentioned that Smt. T. Ludhiya has worked for 2184 days, on what basis this statement has been prepared is also a secret which has not been proved by the Petitioner workman. Against this document there is letter by Bharat Sanchar Nigam Ltd., Sub Divisional Engineer's office, Gannavaram dated 27-2-2004 stating therein that nobody by name Smt. T. Ludhiya has ever worked in that Sub-Division as casual worker. There is another letter of SDE, Branch Telecom Training Centre, Vijayawada dated 27-1-2004 regarding non-engagement of the Petitioner and another letter dated 23-8-2005 sending comments on the self prepared working days of Smt. T. Ludhiya that she was not engaged as casual worker in the office of SDE-II, Trg. Coordination, Autonagar, SDE (GRS), Gannavaram. There is another document Ex. M4 from the office D.E. Telecom, Palakol that the days of working as claimed by Smt. T. Ludhiya are not true. There is another document Ex. M5 from the office of the AGM, O/o GMTD, Vijayawada addressed to AGM Legal that no person in the name of Smt. T. Ludhiya has ever worked under SDE as casual worker from 1-3-97 to 28-2-98. The Respondent has further filed Ex. M7 i.e., letter of the Telecom Department dated 12-2-99 imposing ban on engagement of casual labour which read that "Department of Telecommunication has imposed a ban on recruitment/engagement of casual labourers. That permitted not more than 15 days during exigencies and natural calamities to engage casual labourers."

12. The workman during her cross examination has stated that the service certificates are given to her by the Respondent but there is neither any seal of the Respondent department nor it has been issued on the letter head of the Respondent department. She has stated that she has not filed any service record from 1990 to 2003 as no certificate was given to her. The Respondent has challenged the authenticity of the documents filed by the Petitioner i.e., Ex. W1 and W2. Petitioner has not been able to prove that she has worked under the Department of Telecommunication/Bharat Sanchar Nigam Ltd., or she was appointed by the Bharat Sanchar Nigam Ltd., as alleged by her. She herself has stated that she is not having any service record that she worked for the period 1990 to 2003 as such, it can not be said to have been proved that Petitioner was terminated from the service on 12-11-2003, there is neither any written appointment letter nor there is retrenchment/termination order, in that case even if the Petitioner has worked as casual mazdoor for some days, she is not entitled for regularization or absorption in the service of Telecom Department/Bharat Sanchar Nigam Ltd.

13. Learned Counsel for the Respondent has cited the judgment of the Hon'ble Supreme Court in CA No. 292/2009 between Bharat Sanchar Nigam Ltd., and Teja Singh wherein Hon'ble Supreme Court has held that a daily rate worker is not entitled for regularization or absorption in the service."

14. From the above discussion, this tribunal is of the opinion that the Petitioner was neither appointed nor she was terminated from service on alleged date 12-11-2003 as such, her claim that she was dismissed illegally or unjustifiable is incorrect. Since she was not dismissed from the services neither she was a workman nor there was relationship of employer and employee between the Respondent management and the workman, there is no question to determine "whether the action of the management in dismissing the services is justified or not" Petitioner was neither appointed nor dismissed. She has come with a concocted case and statement which is unfounded and baseless. The point No. (I) is decided accordingly.

15. **Point No. (II):** The Petitioner was neither appointed nor she has worked as casual mazdoor or daily rated workman nor she was disengaged from the services she is not entitled for any relief. The petition is misconceived and Petitioner does not deserve any relief. This point No. (II) is also decided in favour of the management.

16. From the above discussion, this tribunal is of the opinion that the Petitioner was never engaged nor she was dismissed from the service and she is not entitled for any relief. The reference is answered accordingly.

Award passed accordingly. Transmitt.

Dictated to Smt. P. Phani Gowri. Personal Assistant transcribed by her corrected by me on this the 29th day of September, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
WW1: Smt. T. Ludhiya	MW1: Sri K. Surya Chandra Rao
	MW2: Sri K. Mohan Rao

#### Documents marked for the Petitioner

Ex. W1:	Identity card of WW1
Ex. W2:	Selection letter dt. 27-8-84
Ex. W3:	List of part time casual labourers working for more than 4 hrs reg.
Ex. W4:	Original book showing working days of WW1 from 7-3-96 to 1-1-96
Ex. W5:	Copy of declaration given by WW1 dt. 22-9-2003 reg. his particulars
Ex. W6:	Copy of application to ALC(C) dt. 22-9-2003

#### Documents marked for the Respondent

Ex.M1:	Copy of Ir. dt. 27-2-2004 of SDE (Extl. & Intl.) BSNL, Vijayawada-15
Ex.M2:	Copy of Ir. dt. 27-1-2004 of SDE, BSNL, Vijayawada reg. factual report of engagement of Petitioner.
Ex.M3:	Copy of Ir. dt. 23-8-2005 of SDE (Internal), Nuzavid to AGM (Legal) BSNL, Vijayawada reg. comments on working day of WW1
Ex.M4:	Copy of Ir. dt. 16-12-2005 of DE, Telecom, Mtee, Palakol on working days of WW1
Ex.M5:	Copy of Ir. dt. 24-12-2005 of AGM (Admn) O/o GMTD, Vijayawada on working days of the claimant to AGM (Legal), Vijayawada.
Ex.M6:	Copy of DoT OM dt. 12-2-99-reg. the ban on engagement of casual labourers
Ex.M7:	Copy of DoT OM dt. 12-2-99-reg. the contingent expenditure
Ex.M8:	Copy of DoT OM dt. 15-6-99-reg. the ban on engagement of casual labourers.
Ex.M9:	Copy of endorsement letter of O/o CGMT, AP, HD, dt. 18-6-99
Ex.M10:	Copy of written statement filed before the ALC (C) Vijayawada in Ir. dt. 15-3-2004

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3025.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 15/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/111/2004-आई आर(डी यू.)]

जोहन तोपनो, अवर सचिव

New Delhi, the 18th November, 2010

S.O. 3025.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 15/2005) of the Central Government Industrial Tribunal-cum-Labour Court- Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BSNL and their workman, which was received by the Central Government on 18-11-2010.

[No. L-40012/111/2004-IR(DU)]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present :- Shri Ved Prakash Gaur, Presiding Officer

Dated the 29th day of September, 2010

INDUSTRIAL DISPUTE No. 15/2005

#### Between:

Sri. K. Phillips,  
S/o Sri K. Arlappa,  
C/o Sh. P.Appa Rao Reddy,  
Distt. Secretary, NUMBSNL W (FNTG),  
No. 252, Labour Colony, Vidyadharapuram,  
Vijayawada-12. ....Petitioner

#### AND

The General Manager,  
Bharat Sanchar Nigam Limited,  
Vijayawada .... Respondent

#### Appearances:

For the Petitioner : M/s. C. Vijaya Shekar Reddy &  
S. Vijay Venkatesh, Advocates

For the Respondent : Sri P. Bhaskara Mohan, Advocate

#### AWARD

This reference has been received from the Government of India, Ministry of Labour by its order No. L-40012/111/2004-IR (DU) dated 13-1-2005 under Section

10(1) (d) of the I.D. Act, 1947 to resolve the dispute between the management of Bharat Sanchar Nigam Ltd., and their workman Sri. K. Phillips. The term of reference is as under :

#### SCHEDULE

"Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Sh. K. Phillips Ex. Casual Mazdoor is justified? If not, to what relief the workman is entitled to?"

The reference is numbered in this Tribunal as I.D. No. 15/2005 and notices were issued to the parties.

2. Petitioner workman has filed claim statement stating therein that he was appointed as a casual mazdoor in department of Telecom and Bharat Sanchar Nigam Ltd., on 1-10-84 in the office of SDE (P) BSNL External, Machavaram, Vijayawada after undergoing selection and considering his past service with the department. He has been discharging his duties to the best of his abilities as per the instructions given by superiors.

3. He worked in the above said department for more than 19 years but his services were not regularized by Respondent. Instead, when he sought regularization of his services the management arbitrarily, illegally terminated his services. After termination of the services the workman has raised conciliation proceedings which resulted in failure and conciliation officer submitted failure report to the Government of India of Ministry of Labour and Employment which has referred the dispute to this tribunal. He has further alleged that juniors to him have been regularized but Petitioner workman's case has not been considered for regularization when the Petitioner insisted for regularization. His services were terminated w.e.f. 13-11-2003. He has prayed for quashment of the termination order and to reinstate him with direction to regularize him in the services with full back wages.

4. Counter statement has been filed by the Respondent wherein they have stated that the Petitioner was never appointed in the department of Telecom/Bharat Sanchar Nigam Ltd. In fact the original alleged certificate issued by Assistant Engineer Railway Electrification Project which was submitted before Assistant Labour Commissioner (C) was found to be correct. On the enquiry it was revealed that the project was closed long back and no further details are available in that regard. The document did not disclose any proof of employment with DOT/Bharat Sanchar Nigam Ltd. They have further alleged that the SDE(Extl.). Machavaram, Vijayawada addressed letter to AGM (A), O/o GMTD, Bharat Sanchar Nigam Ltd. Vijayawada reveals that nobody by name Sri K. Phillips, had ever worked in Sub Divisional Office as casual mazdoor.

5. The contention of the Petitioner that he worked for more than 19 years is unfounded and baseless. There is



no proof of employment and termination of the Petitioner from the service on alleged dated i.e. 13-11-2003. The claim is misleading and unfounded. It is further been alleged that there is ban from 1985 onward that mazdoor can not be engaged for more than 100 days in a year. During 1985 it was only for 60 days in a year which was raised to 100 days. Petition deserves to be dismissed.

6. Both the parties filed their respective evidence. The workman has filed a self prepared statement showing attendance and alleged xerox copy of letter No. E2/Mazdoors/84-85/20 dated 1-10-84 at RE project, Kazipet. That Petitioner Sri K. Phillips, was selected as casual mazdoor on daily wages. He has further filed alleged xerox copy of certificate that Sri K. Phillips, has worked for 1106 days at AE, Telecom, Railway Electrification project, Vijayawada from 1-1-85 to 30-6-89. The workman has filed xerox copy of the said certificate and his own affidavit his examination in chief and has presented himself for cross examination and has been cross examined by Respondent. The workman has filed original alleged letter dated 1-10-1984 as Ex. W1 and service certificate as Ex. W2, xerox copy of application filed before Assistant Labour Commissioner(C) as Ex. W3, xerox copy of declaration by Petitioner workman as Ex. W4 and copy of the order dated 11-3-2003 of Assistant Labour Commissioner (C) reporting failure of conciliation proceeding Ex. W5.

7. Respondent has also filed documents Ex. M1 to M9 which are letters from SDE, SDOP and circulars and letter of department of Telecommunication which will be discussed in the latter paragraphs. The Respondent has filed affidavit of Sri K. Surya Chandra Rao and has presented him for cross examination.

8. One Sri K. Mohan Rao has also filed his affidavit on behalf of the management wherein he has refuted the allegations made by the Petitioner and has stated that Petitioner was never employed in the Department of Telecommunications nor he was terminated from the service as alleged by him.

9. Learned Counsel for the Respondent has filed written arguments supported with the latest judgement of the Hon'ble Supreme Court of India in CA No. 292/2002 in between Bharat Sanchar Nigam Ltd. and Teja Singh. None had appeared for arguments on behalf of the Petitioner workman as such, I have myself gone through the claim statement and documents produced by the claimant and counter statement, documents produced by the Respondent and arguments advanced on behalf of the Respondents.

10. This tribunal has to consider :—

- (I) Whether the action of the management in dismissing the services of Sri K. Phillips, Ex. Casual mazdoor is justified?
- (II) If not, to what relief the workman is entitled?

11. **Point No. (I) :** To consider about the legality and justification of the alleged dismissal order, this tribunal has to see whether Petitioner Sri K. Phillips, was actually appointed and worked under the Bharat Sanchar Nigam Ltd., management or not Respondent has challenged the very existence of relationship of master and servant or employer and employee between the Petitioner workman and the management. The Petitioner has stated in his claim statement that he was appointed in the Department of Telecommunication and joined on 1-10-84. This fact has been challenged by the Respondent. It was the duty of the Petitioner to substantiate that he has actually worked with the Department of Telecommunication from 1-10-84. The Petitioner has not been able to produce any single piece of paper to show that he was employed by the Department of Post and Telegraphs on 1-10-84. In his cross examination he has stated that Ex. W1 is the appointment order but to the utter surprise it is found that alleged Ex. W1 is not an appointment order, because it is mentioned in this document that "Following candidates who have been working at different places which beyond 16KM from Khammam (Head Quarter) of Employment Exchange were interviewed on 1-10-1984 at Kazipet and were selected as casual mazdoors on daily wages." This letter has not been proved by the Petitioner. More over Ex. W1 shows that Sri K. Phillips, was selected as casual mazdoor, whether he was appointed or not it does not disclose. It is settled law that selection for a post is not a proof of his appointment. As such it can not be said that Ex. W1 is appointment letter. Secondly Ex. W2 the alleged certificate from Railway Electrification Project Vijayawada is also not a document from the Department of Posts and Telecommunications. It is from Railway Electrification Project, Vijayawada wherein it has been mentioned that Sri K. Phillips, has worked for 1106 days, who has issued this certificate is also secret which has not been proved by the Petitioner workman. Against this document there is letter by Bharat Sanchar Nigam Ltd., Sub-Divisional Engineer's Office dated 11-11-2003 stating therein that nobody by name Sri K. Phillips, has ever worked in that Sub-Divisional as casual worker. There is another letter of SDO, Phones Vijayawada dated 5-8-2005 sending comments on the store vouchers filed by Sri K. Phillips, that he was not engaged as casual worker in the Office of SDO, Phones, Vijayawada. The Respondent has further filed Ex. M4 i.e., letter of the Telecom Department dated 12-2-99 imposing ban on engagement of casual labour which read that "Department of Telecommunication has imposed a bar on recruitment/engagement of casual labour. That permitted not more than 15 days during exigencies and natural calamities to engage casual labourers."

12. The workman during his cross examination has stated that the service certificates are given to him by the Respondent but there is neither any seal of the Respondent

department nor it has been issued on the letter head of the Respondent department. He has stated that he has not filed any service record from 1990 to 2003 as no certificate was given to him. He has further admitted that no payment slip was given to him. The Respondent has challenged the authenticity of the documents filed by the Petitioner i.e., Ex. W1 and W2. Thus, the Petitioner has not been able to prove that he has worked under the Department of Telecommunication/Bharat Sanchar Nigam Ltd., or he was appointed by the Bharat Sanchar Nigam Ltd., as alleged by him. He himself has stated that he is not having any service record that he worked for the period 1990 to 2003 as such, it can not be said to have been proved that Petitioner was terminated from the service on 13-11-2003, there is neither any written appointment letter nor there is retrenchment/termination order, in that case even if the Petitioner has worked as casual mazdoor for some days, he is not entitled for regularization or absorption in the service of Telecom Department/Bharat Sanchar Nigam Ltd.

13. Learned Counsel for the Respondent has cited the judgment of the Hon'ble Supreme Court in CA No. 292/2009 between Bharat Sanchar Nigam Ltd., and Teja Singh wherein Hon'ble Supreme Court has held that a daily rate worker is not entitled for regularization or absorption in the services.

14. From the above discussion, this tribunal is of the opinion that the Petitioner was neither appointed nor he was terminated from service on alleged date 13-11-2003 as such, his claim that he was dismissed illegally or unjustifiably is incorrect. Since he was not dismissed from the services neither he was a workman nor there was relationship of employer and employee between the Respondent management and the workman, there is no question to determination, "whether the action of the management in dismissing the services is justified or not, Petitioner was neither appointed nor dismissed." He has come with a concocted statement and case which is unfounded and baseless. The point No. (I) is decided accordingly.

15. Point No. (II): The Petitioner was neither appointed nor he has worked as casual mazdoor or daily rated workman nor he was disengaged from the service he is not entitled for any relief. The petition is misconceived and Petitioner does not deserve any relief. This point No. (II) is also decided in favour of the management.

16. From the above discussion, this tribunal is of the opinion that the Petitioner was never engaged nor he was dismissed from the service and he is not entitled for any relief. The reference is answered accordingly.

Aws. d passed accordingly. Trans.mit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 29th day of September, 2010.

VED PRAKASH GAUR, Presiding Officer

### Appendix of evidence

#### Witnesses examined for the Petitioner

WW1: Sri. K. Phillips

#### Witnesses examined for the Respondent

MW1: Sri P. Surya Chandra Rao

MW2: Sri S. Vishan Rao

#### Documents marked for the Petitioner

Ex. W1: Selection letter dt. 1-10-1994

Ex. W2: Service certificate

Ex. W3: Copy of application before Assistant Labour Commissioner (C) dt. 22-9-2003

Ex. W4: Copy of declaration given by WW1 dt. 22-9-2003 reg. his particulars

Ex. W5: Copy of failure of conciliation report dt. 11-3-2003.

#### Documents marked for the Respondent

Ex. M1: Copy of lr. dt. 11-11-2003 of SDE (Tech.) BSNL, Machavaram, Vijayawada-13

Ex. M2: Copy of lr. dt. 5-8-2005 of SDE (Tech.), O/o DGM (U & CS), BSNL, Vijayawada

Ex. M3: Copy of Consolidated statement of the MRs from January, 85 to September, 85

Ex. M4: Copy of lr. DoT OM dt. 12-2-99-reg. the ban on engagement of casual labourers

Ex. M5: Copy of DoT OM dt. 12-2-99-reg. the contingent expenditure

Ex. M6: Copy of DoT OM dt. 15-6-99-reg. the ban on engagement of casual labourers

Ex. M7: Copy of Endorsement letter of O/o CGMT, A. P. HD. dt. 18-6-99

Ex. M8: Copy of written statement filed before the ALC (C) Vijayawada in lr. dt. 30-10-2003

Ex. M9: Certified MRs running into 84 pages from January, 1985 to February, 1985.

नई दिल्ली, 18 नवम्बर, 2010

क्र.आ. 3026,—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वी. एल.एन. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 9/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-40012/105/2004-आई आर (डो यू)]

जोहन तोपनो, अव्वर सचिव



New Delhi, the 18th November, 2010

S.O. 3026.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 9/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BSNL and their workmen, which was received by the Central Government on 18-11-2010.

[No. L-40012/105/2004-IR (DU)]

JOHAN TOPNO, Under Secy.

### ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present : SHRI VED PRAKASH GAUR, Presiding Officer

Dated the 29th day of September, 2010

**INDUSTRIAL DISPUTE No. 9/2005**

#### BETWEEN:

Sri K. Basava Sankara Rao,  
S/o Sri K. Subba Rao,  
C/o Sh. P. Appa Rao Reddy,  
Distt. Secretary, NUMBSNL W (FNTO),  
No. 252, Labour Colony, Vidyadharapuram,  
Vijayawada-12. ....Petitioner

#### AND

The General Manager,  
Bharat Sanchar Nigam Limited,  
Vijayawada .... Respondent

#### APPEARANCES :

For the Petitioner : M/s. C. Vijaya Shekar Reddy &  
S. Vijay Venkatesh, Advocates.

For the Respondent : Sri P. Bhaskara Mohan, Advocate.

#### AWARD

This reference has been received from the Government of India, Ministry of Labour by its order No. L-40012/105/2004-IR (DU) dated 13-1-2005 under section 10 (1) (d) of the I.D. Act, 1947 to resolve the dispute between the management of Bharat Sanchar Nigam Ltd., and their workman Sri. K. Basava Sankara Rao. The term of reference is as under :

#### SCHEDULE

“Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Sh. K. Basava Sankara Rao, Ex. Casual Mazdoor is justified? If not, to what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 9/2005 and notices were issued to the parties.

2. Petitioner workman has filed claim statement stating therein that he was appointed as a casual mazdoor in department of Telecom and Bharat Sanchar Nigam Ltd., on 1-1-1985 in the office of SDE Extn., Ajitsinghnagar, Vijayawada after undergoing selection and considering his past service with the department. He has been discharging his duties to the best of his abilities as per the instructions given by superiors.

3. He worked in the above said department for more than 19 years but his services were not regularized by Respondent. Instead, when he sought regularization of his services the management arbitrarily, illegally terminated his services. After termination of the services the workman has raised conciliation proceedings which resulted in failure and conciliation officer submitted failure report to the Government of India of Ministry of Labour and Employment which has referred the dispute to this tribunal. He has further alleged that juniors to him have been regularized but Petitioner workman's case has not been considered for regularization when the Petitioner insisted for regularization. His services were terminated w.e.f. 12-11-2003. He has prayed for quashment of the termination order and to reinstate him with direction to regularize him in the services with full back wages.

4. Counter statement has been filed by the Respondent wherein they have stated that the Petitioner was never appointed in the department of Telecom/Bharat Sanchar Nigam Ltd. In fact the original alleged certificate issued by Assistant Engineer Railway Electrification Project which was submitted before Assistant Labour Commissioner (C) was not traced. On the enquiry it was revealed that the project was closed long back and no further details are available in that regard. The document did not disclose any proof of employment with DOT/Bharat Sanchar Nigam Ltd. They have further alleged that the SDE(Extl.) Ajitsingh Nagar, Vijayawada addressed letter to AGM (A), O/o GMTD, Bharat Sanchar Nigam Ltd., Vijayawada reveals that nobody by name Sri K. Basava Sankara Rao had ever worked in Sub Divisional Office as casual mazdoor.

5. The contention of the Petitioner that he worked for more than 19 years is unfounded and baseless. There is no proof of employment and termination of the Petitioner from the service on alleged dated i.e., 12-11-2003. The claim is misleading and unfounded. It is further been alleged that there is ban from 1985 onward that mazdoor can not be engaged for more than 100 days in a year. During 1985 it was only for 60 days in a year which was raised to 100 days. Petition deserves to be dismissed.

6. Both the parties filed their respective evidence. The workman has filed a self prepared statement showing his attendance and alleged xerox copy of the letter No. E-2/ Mazdoor/84-85/20 dated 1-10-84 at RE Project, Kazipet, that Petitioner Sri K. Basava Sanakara Rao was selected as casual

mazdoor on daily wages. He has further filed alleged xerox copy of certificate that Sri K. Basava Sankara Rao has worked for 1106 days a AE, Telecom, Railway Electrification Project, Vijayawada from 1-1-85 to 1-6-89. The workman has filed xerox copy of the said certificate and his own affidavit his examination in chief and has presented himself for cross-examination and has been cross examined by Respondent. The workman has filed alleged letter dated 1-10-84 as Ex. W1 and service certificate as Ex. W2, xerox copy of application filed before Assistant Labour Commissioner (C) as Ex. W3, xerox copy of his application as Ex. W4 and copy of the order dated 11-3-2003 of Assistant Labour Commissioner (C) reporting failure of conciliation proceeding.

7. Respondent has also filed documents Ex. M1 to M11 which are letters from SDE, SDOP and circulars and letter of department of Telecom nation which will be discussed in the latter paragraphs. The Respondent has filed affidavit of Sri. K. Surya Chandra Rao and has presented him for cross-examination and vouchers of payment to show that no payment has been made to Sri K. Basava Sankara Rao.

8. One Sri K. Mohan Rao has also filed his affidavit on behalf of the management wherein he has refuted the allegations made by the Petitioner and has stated that Petitioner was never employed in the department of Telecommunications nor he was terminated from the service as alleged by him.

9. Learned Counsel for the Respondent has filed written arguments supported with the latest judgement of the Hon'ble Supreme Court of India in CA No. 292/2002 in between Bharat Sanchar Nigam Ltd., and Teja Singh. None had appeared for arguments on behalf of the Petitioner workman as such, I have myself gone through the claim statement and documents produced by the claimant and counter statement, documents produced by the Respondent and arguments advanced on behalf of the Respondents.

10. This tribunal has to consider,

(I) Whether the action of the management in dismissing the services of Sri K. Basava Sankara Rao, Ex. Casual mazdoor is justified?

(II) If not, to what relief the workman is entitled?

11. **Point No. (I):** To consider about the legality and justification of the alleged dismissed this tribunal has to see whether Petitioner Sri K. Basava Sankara Rao was actually appointed and worked under the Bharat Sanchar Nigam Ltd., management or not? To this question, the Respondent has challenged the very existence of relationship of master and servant or employee or employer between the Petitioner workman and the management. The Petitioner has stated in his claim statement that he was appointed in the department of telecommunication and joined on 1-1-1985. This fact has been challenged by the

Respondent. It was the duty of the Petitioner workman to substantiate that he has actually worked with the department of telecommunication from 1-1-1985. The Petitioner has not been able to produce any single piece of paper to show that he was employed by the Department of Post and Telegraphs on 1-1-1985. In his cross-examination he has stated that Ex. W1 is the appointment order but to the utter surprise it is found that alleged Ex. W1 is not an appointment order, because it is mentioned in this documents that "Following candidates who have been working at different places which beyond 16KMK from Khammam (Head Quarters) of employment exchange were interviewed on 1-1-1984 at Kazipet and were selected as casual mazdoor on daily wage." This letter has not been proved by the Petitioner. Moreover this Ex. W1 shows that Sri K. Basava Sankara Rao was selected as casual mazdoor, whether he was appointed or not it does not disclose. Selection for a post does not confer right of appointment and is not proof of his appointment. As such it can not be said that Ex. W1 is appointment letter. Secondly Ex. W2 the alleged certificate from Railway Electrification Project, Vijayawada is also not a document from the Department of posts and Telecommunications. It is from Railway Electrification Project, Vijayawada wherein it has been mentioned that Sri K. Basava Sankara Rao has worked for 1106 days, who has issued this certificate is also a question of fact which has not been proved by the Petitioner workman. Against this document there is letter by Bharat Sanchar Nigam Ltd., Sub-Divisional Engineer's office dated 11-11-2003 stating therein that nobody by name Sri K. Basava Sankara Rao has ever worked in that Sub Division as casual worker. There is another letter of SDO, Phones, Vijayawada dated 4-8-2005 sending comments on the self certificate of Sri K. Basava Sankara Rao that he was not engaged as casual worker in the office of SDO, Phones, Vijayawada. Moreover there is another certificate from SDE, Technical, Ex. M3 that no person named U. Appa Rao has worked as JTO and the same way no person named V. Subba Rao has ever worked in the SDE in that division. There is another document Ex. M4 from the office of the SDE, Satyanarayanapuram addressed to AGM Legal that no person in the name of Sri K. Basava Sankara Rao has ever worked under SDE as casual worker. There is another document Ex. M5 from the office of Sub Divisional Engineer, External, Machavaram, to AGM Legal that no person named Sri K. Basava Sankara Rao has worked in that section as per available record. They have further submitted the list of the officers and their tenure as Ex. M6. The Respondent had further filed Ex. M7 i.e., letter of the Telecom Department dated 12-2-99 imposing ban on engagement of casual labour which read that "Department of Telecommunication has imposed a ban on recruitment/engagement of casual labourers. That permitted not more than 15 days during exigencies and natural calamities to engage casual labourers."

12. The workman during his cross examination has stated that the service certificate are given to him by the Respondent but there is neither any seal of the Respondent department nor it has been issued on the letter head of the Respondent department. He has stated that he has not filed any service record from 1990 to 2003 as no certificate was given to him. He has further admitted that no payment slip was given to him. The Respondent has challenged the authenticity of the documents filed by the Petitioner i.e., Ex. W1 and W2. Thus, the Petitioner has not been able to prove that he has worked under the Department of Telecommunication/Bharat Sanchar Nigam Ltd., or he was appointed by the Bharat Sanchar Nigam Ltd., as alleged by him. He himself has stated that he is not having any service record that he worked for the period 1990 to 2003 as such, it can not be said to have been proved that Petitioner was terminated from the service on 12-11-2003. There is neither any written appointment letter nor there is retrenchment order, in that case even if the Petitioner has worked as casual mazdoor, he is not entitled for regularization or absorption in the service of Telecom Department/Bharat Sanchar Nigam Ltd.

13. Learned Counsel for the Respondent has cited the judgment of the Hon'ble Supreme Court in CA No. 292/2009 between Bharat Sanchar Nigam Ltd., and Teja Singh wherein Hon'ble Supreme Court has held that a daily rate worker is not entitled for regularization or absorption in the services."

14. From the above discussion, this tribunal is of the opinion that the Petitioner was neither appointed nor he was terminated from service on alleged date 12-11-2003, as such, his claim that he was dismissed illegally or unjustifiable is incorrect. Since he was not dismissed from the services nor he was a workman nor there was relationship of employer and employee between the Respondent management and the workman, there is no question to determine whether the action of the management in dismissing the services is justified or not. Petitioner was neither appointed nor dismissed. He has come with a concocted statement which is unfounded and baseless. The point No. (I) is decided accordingly

15. **Point No. (II):** The Petitioner was neither appointed nor he has worked as casual mazdoor or daily rated workman nor he was disengaged from the services he is not entitled for any relief. The petition is misconceived and Petitioner does not deserve any relief. This point No. (II) is also decided in favour of the management.

16. From the above discussion, this tribunal is of the opinion that the Petitioner was never engaged nor he was dismissed from the service and he is not entitled for any relief. The reference is answered accordingly.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 29th day of September, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
WW1: Sri. K. Basava Sankara Rao	MW1: Sri K. Surya Chandra Rao
	MW2: Sri K. Mohan Rao

#### Documents marked for the Petitioner

Ex. W1:	Selection letter dt. 1-10-1984
Ex. W2:	Service certificate
Ex. W3:	Copy of application before Assistant Labour Commissioner (C) dt. 22-9-2003
Ex. W4:	Copy of declaration given by WW1 dt. 22-9-2003 reg. his particulars
Ex. W5:	Copy of failure of conciliation report dt. 11-3-2003

#### Documents marked for the Respondent

Ex. M1:	Copy of Lr. dt. 11-11-2003 of SDE (Extl.) BSNL, Vijayawada-15
Ex. M2:	Copy of Lr. dt. 4-8-2005 of SDOP -I BSNL, Vijayawada on certified working days.
Ex. M3:	Copy of Lr. dt. 5-8-2005 of SDE (Tech), O/o DGM (U & CS), BSNL, Vijayawada
Ex. M4:	Copy of Lr. dt. 6-8-2005 of SDE (Extl.) Vijayawada-11 on working days
Ex. M5:	Copy of Lr. dt. 8-8-2005 of SDE (E), Machavaram-comments of working days of the claimant
Ex. M6:	Consolidated statement of the MRs from January, 85 to September, 85
Ex. M7:	Copy of DoT OM dt. 12-2-99-reg.—the ban on engagement of casual labourers
Ex. M8:	Copy of DoT OM dt. 12-2-99—reg. the contingent expenditure
Ex. M9:	Copy of DoT OM dt. 15-6-99-reg.—the ban on engagement of casual labourers
Ex. M10:	Copy of endorsement letter of O/o CGMT, AP, HD, dt. 18-6-99
Ex. M11:	Copy of written statement filed before the ALC (C) Vijayawada in Lr. dt. 6-1-2004
Ex. M12:	Certified MRs running into 84 pages from January 1985 to February, 1985.

नई दिल्ली, 18 नवम्बर, 2010

## AWARD

का.आ. 3027.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन.एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 10/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-10 को प्राप्त हुआ था।

[सं. एल-40012/106/2004-आईआर (डीयू)]

जोहन तोपनो, अवर सचिव

New Delhi, the 18th November, 2010

S.O. 3027.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 10/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the Management of B.S.N.L. and their workman, which was received by the Central Government on 18-11-2010.

[No. L-40012/106/2004-IR (DU)]

JOHAN TOPNO, Under Secy.

## ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT  
HYDERABAD**

Present: Shri VED PRAKASH GAUR, Presiding Officer

Dated the 29th day of September, 2010

Industrial Dispute No. 10/2005

## BETWEEN:

Sri D. Pentaiah,  
S/o Sh. D. Jeeva Ratnam,  
C/o Sh. P. Appa Rao Reddy,  
Distt. Secretary, NUMBSNL W (FNT0),  
No. 252, Labour Colony, Vidyadharapuram,  
Vijayawada-12

...Petitioner

## AND

The General Manager,  
Bharat Sanchar Nigam Limited,  
Vijayawada

...Respondent

## APPEARANCES:

For the Petitioner : M/s. C. Vijaya Shekhar Reddy & S.  
Vijaya Venkatesh, Advocates

For the Respondent : Sri P. Bhaskra Mohan, Advocate

This reference has been received from the Government of India, Ministry of Labour by its order No. L-40012/106/2004-IR(DU) dated 13-1-2005 under section 10(1)(d) of the I.D. Act, 1947 to resolve the dispute between the management of Bharat Sanchar Nigam Ltd., and their workman Sri D. Pentaiah. The term of reference is as under:

## SCHEDULE

"Whether the action of the management of Bharat Sanchar Nigam Ltd., Vijayawada in dismissing services of Sh. D. Pentaiah, Ex-Casual Mazdoor is justified? If not, to what relief the workman is entitled to?"

The reference is numbered in this Tribunal as I.D. No.10/2005 and notices were issued to the parties.

2. Petitioner workman has filed claim statement stating therein that he was appointed as a casual mazdoor in department of Telecom and Bharat Sanchar Nigam Ltd. on 1-7-83 in the office of SDE Extn., Bhavanipuram, Vijayawada after undergoing selection and considering his past service with the department. He has been discharging his duties to the best of his abilities as per the instructions given by superiors.

3. He worked in the above said department for more than 19 years but his services were not regularized by Respondent. Instead, when he sought regularization of his services the management arbitrarily, illegally terminated his services. After termination of the services the workman has raised conciliation proceedings which resulted in failure and conciliation officer submitted failure report to the Government of India in the Ministry of Labour and Employment which has referred the dispute to this tribunal. He has further alleged the juniors to him have been regularized but petitioner workman's case has not been considered for regularization when the Petitioner insisted for regularization. His services were terminated w.e.f. 12-11-2003. He has prayed for quashment of the termination order and to reinstate him with direction to regularize him in the services with full back wages.

4. Counter statement has been filed by the Respondent wherein they have stated that the Petitioner was never appointed in the department of Telecom/Bharat Sanchar Nigam Limited. In fact the original alleged certificate issued by Assistant Engineer Railway Electrification Project which was submitted before Assistant Labour Commissioner (C) was not traced. On the enquiry it was revealed that the project was closed long back and no further details are available in that regard. The document did not disclose any proof of employment with DOT/Bharat Sanchar Nigam Ltd., They have further alleged that the SDE(Extl.), Bhavanipuram, Vijayawada

addressed letter to AGM(A), O/o GMTD, Bharat Sanchar Nigam Ltd., Vijayawada reveals that nobody by name Sri D. Pentaiah had ever worked in Sub Divisional Office as casual mazdoor.

5. The contention of the Petitioner that he worked for more than 19 years is unfounded and baseless. There is no proof of employment and termination of the Petitioner from the service on alleged dated i.e., 12-11-2003. The claim is misleading and unfounded. It is further been alleged that there is ban from 1985 onward that mazdoor can not be engaged for more than 100 days in a year. During 1985 there was only for 60 days in a year which was raised to 100 days. Petition deserves to be dismissed.

6. Both the parties filed their respective evidence. The workman has filed a self prepared statement showing his attendance and alleged xerox copy of the letter No.E2/ mazdoors/82/29 dated 27-7-83 at RE project, Kazipet, that Petitioner Sri D. Pentaiah was selected as casual mazdoor on daily wages. He has further filed alleged xerox copy of certificate that Sri D. Pentaiah has worked for 1032 days at S.F. Telecom, Railway Electrification project, Vijayawada from 1-7-86 to 1-2-90. The workman has filed xerox copy of the said certificate and his own affidavit as his examination in chief and has presented himself for cross examination and has been examined by Respondent. The workman has filed original alleged letter dated 27-7-83 as Ex.W1 and service certificate as Ex.W2, bunch of store receipts Ex.W3, xerox copy of application filed before Assistant Labour Commissioner(C) as Ex.W4, xerox copy of declaration by Petitioner workman as Ex.W5 and copy of the order dated 12-3-2003 of Assistant Labour Commissioner(C) reporting failure of conciliation proceeding Ex.W6.

7. Respondent has also filed documents Ex. M1 to M11 which are letters from SDE, SDOP and circulars and letter of department of Telecommunication which will be discussed in the latter paragraphs. The Respondent has filed affidavit of Sri K. Surya Chandra Rao and has presented him for cross examination.

8. One Sri K. Mohan Rao has also filed his affidavit on behalf of the management wherein he has refuted the allegations made by the Petitioner and has stated that Petitioner was never employed in the department of Telecommunications nor he was terminated from the service as alleged by him.

9. Learned Counsel for the Respondent has filed written arguments supported with the latest judgement of the Hon'ble Supreme Court of India in CA No.292/2002 in between Bharat Sanchar Nigam Ltd., and Teja Singh. None had appeared for arguments on behalf of the Petitioner workman as such, I have myself gone through the claim statement and documents produced by the claimant and counter statement, documents produced by the Respondent and arguments advanced on behalf of the Respondents.

10. This tribunal has to consider:—

- (I) Whether the action of the management in dismissing the services of Sri D. Pentaiah, ex-Casual mazdoor is justified?
- (II) If not, to what relief the workman is entitled?

11. Point No.(I): To consider about the legality and justification of the alleged dismissal order, this tribunal has to see whether Petitioner Sri D. Pentaiah was actually appointed and worked under the Bharat Sanchar Nigam Ltd., management or not? Respondent has challenged the very existence of relationship of master and servant or employee or employer between the Petitioner workman and the management. The Petitioner has stated in his claim statement that he was appointed in the department of telecommunication and joined on 1-7-83. This fact has been challenged by the Respondent. It was the duty of the Petitioner to substantiate that he has actually worked with the department of telecommunication from 1-7-83. The Petitioner has not been able to produce any single piece of paper to show that he was employed by the Department of Post and Telegraphs on 1-7-83. In his cross examination he has stated that Ex.W1 is the appointment order but to the utter surprise it is found that alleged Ex.W1 is not an appointment order, because it is mentioned in this document that "Following candidates who have been working at different places which beyond 16 KM from Kazipet, a Khammam Project (Head Quarters of employment exchange) were interviewed on 27-7-83 at Kazipet and were selected as casual mazdoors on daily wages." This letter has not been proved by the Petitioner. More over this Ex.W1 shows that Sri D. Pentaiah was selected as casual mazdoor, whether he was appointed or not it does not disclose, because selection for a post is not a proof of his appointment. As such it can not be said that Ex. W1 is appointment letter. Secondly Ex. W2 the alleged certificate from Railway Electrification Project, Vijayawada is also not a document from the Department of Posts and Telecommunications. It is from Railway Electrification Project, Vijayawada wherein it has been mentioned that Sri D. Pentaiah has worked for 1032 days, who has issued this certificate is also a question which has not been proved by the Petitioner workman. Against this document there is letter by Bharat Sanchar Nigam Ltd., Sub-Divisional Engineer's office dated 10-11-2003 stating therein that nobody by name Sri D. Pentaiah has ever worked in that Sub Division as casual worker. There is another letter of SDO, Phones, Vijayawada dated 6-8-2005 sending comments on the store vouchers filed by Sri D. Pentaiah, that he was not engaged as casual worker in the office of SDO, Phones, Vijayawada. The Respondent has further filed Ex. M4 i.e., letter of the Telecom Department dated 12-2-99 imposing ban on engagement of casual labour which read that "Department of Telecommunication has imposed a ban on recruitment/engagement of casual

labour. That permitted not more than 15 days during exigencies and natural calamities to engage casual labourers."

12. The workman during his cross examination has stated that the service certificates are given to him by the Respondent but there is neither any seal of the respondent department nor it has been issued on the letter head of the Respondent department. He has stated that he has not filed any service record from 1990 to 2003 as no certificate was given to him. He has further admitted that no payment slip was given to him. The Respondent has challenged the authenticity of the documents filed by the Petitioner i.e., Ex.W1 and W2. Thus, the Petitioner has not been able to prove that he has worked under the Department of Telecommunication/Bharat Sanchar Nigam Ltd., or he was appointed by the Bharat Sanchar Nigam Ltd., as alleged by him. He himself has stated that he is not having any service record that he worked for the period 1990 to 2003 as such, it can not be said to have been proved that Petitioner was terminated from the service on 12-11-2003, there is neither any written appointment letter nor there is termination/retrenchment order, in that case even if the Petitioner has worked as casual mazdoor for some days, he is not entitled for regularization or absorption in the service of Telecom Department/Bharat Sanchar Nigam Ltd.

13. Learned Counsel for the Respondent has cited the judgment of the Hon'ble Supreme Court in CA No.292/2009 between Bharat Sanchar Nigam Ltd., and Teja Singh wherein Hon'ble Supreme Court has held that a daily rate worker is not entitled for regularization or absorption in the services."

14. From the above discussion, this tribunal is of the opinion that the Petitioner was neither appointed nor he was terminated from service on alleged date 12-11-2003 as such, his claim that he was dismissed illegally or unjustifiably is incorrect. Since he was not dismissed from the services neither he was a workman nor there was relationship of employer and employee between the Respondent management and the workman, there is no question to determine whether the action of the management in dismissing the services is justified or not. Petitioner was neither appointed nor dismissed. The workman has come with a concocted statement which is unfounded and baseless. The point No.(I) is decided accordingly.

15. Point No.(II): The Petitioner was neither appointed nor he has worked as casual mazdoor or daily rated workman nor he was disengaged from the services he is not entitled for any relief. The petition is misconceived and Petitioner does not deserve any relief. This point No.(II) is also decided in favour of the management.

16. From the above discussion, this tribunal is of the opinion that the Petitioner was never engaged nor he was

dismissed from the service and he is not entitled for any relief. The reference is answered accordingly.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 29th day of September, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
WW1: Sri D. Pentaiah	MW1: Sri K. Surya Chandra Rao
	MW2: Sri K. Mohan Rao

#### Documents marked for the Petitioner

- Ex.W1: Selection letter dt. 12-10-1983
- Ex.W2: Service certificate for 1032 days
- Ex.W3: Bunch of store receipts
- Ex.W4: Copy of application to Assistant Labour Commissioner (C), Vijayawada dt. 22-9-2003
- Ex.W5: Copy of declaration given by WW1 dt. 22-9-2003 reg. his particulars
- Ex.W6: Copy of failure of conciliation report dt. 22-3-2003

#### Documents marked for the Respondent

- Ex.M1: Copy of Lr. dt. 10-11-2003 of SDE (Extl.) BSNL, Bhavanipuram, Vijayawada-15
- Ex.M2: Copy of Lr. dt. 6-8-2005 of SDEP (Extl.) Bhavanipuram, Vijayawada-12 reg. non-engagement of the Petitioner
- Ex.M3: Copy of Lr. dt. 29-3-2007 of SDEP (Extl.) Bhavanipuram, reg. non-engagement of the Petitioner
- Ex.M4: Copy of DoT OM dt. 12-2-99-reg. the ban on engagement of casual labourers
- Ex.M5: Copy of DoT OM dt. 12-2-99-reg. the contingent expenditure
- Ex.M6: Copy of DoT OM dt. 15-6-99-reg. the ban on engagement of casual labourers
- Ex.M7: Copy of endorsement letter of O/o CGMT. AP, HD dt. 18-6-99
- Ex.M8: Copy of written statement filed before the ALC(C) Vijayawada in Lr. dt. 6-1-2003

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3028.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन.एल



के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 56/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-10 को प्राप्त हुआ था।

[ सं. एल-40012/236/2003-आईआर(डीयू) ]

जोहन तोपनो, अवर सचिव

New Delhi, the 18th November, 2010

**S.O. 3028.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the employers in relation to the Management of B.S.N.L. and their workmen, which was received by the Central Government on 18-11-2010.

[No. L-40012/236/2003-IR(DU)]

JOHAN TOPNO, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

**PRESENT:** Dr. Manju Nigam, Presiding Officer

**I. D. No. 56/2004**

**Ref. No. L-40012/236/2003-IR(DU) dated: 21-06-2004**

#### BETWEEN

Sri Shiv Shanker  
S/o Sh. Lakhan Singh,  
Vill. Suratpur  
P.O. Nagla Katila  
Distt. Etah

AND

1. The Sub Division Officer,  
Telecom, BSNL,  
Kasganj,  
Etah.
2. The District Manager,  
Telecom, BSNL,  
Etah.

#### AWARD

20-10-2010

1. By order No. L-40012/236/2003-IR(DU) dated: 21-6-2004 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub-section (2A) of Section 10 of the

Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Sh. Shiv Shanker S/o. Sh. Lakhan Singh, Vill. Suratpur, P.O. Nagla Katila, Distt. Etah and the Sub-Division Officer, Telecom, BSNL, Kasganj, Etah & the District Manager, Telecom, BSNL, Etah for adjudication.

2. The reference under adjudication is:

"Whether the action of the management of District Manager BSNL, Etah in terminating the services of Sh. Shiv Shankar S/o Sh. Lakhan Singh w.e.f. 15-2-2002 is just? If not, to what relief the workman is entitled?"

3. The case of the workman in brief is that the workman was appointed by the opposite party as Line Man on Daily Wage (Muster Roll) basis though no document was furnished to him in respect of his services by the employer; but he was paid in the end of the month after obtaining his signatures, which is Annexure I. The workman has submitted that he worked at Ammapur, Distt. Etah and the employer terminated his services, on 15-2-2002; without disposing of his representation, which was moved by him in pursuance to the Hon'ble Central Administrative Tribunal, Allahabad's order dated 28-2-2002 in O.A. No. 1004/2001. It has been alleged by the workman that the action of management terminating his services w.e.f. 15-2-2002 is illegal and against the principles of natural justice. He has further submitted that the BSNL is an industry and termination of his services comes within the definition of 'retrenchment' under Section 2 (oo) and the opposite party is duty bound to comply with the provisions contained in Section 25 and Section 25 G; and also the opposite party has violated the provisions contained in Section 25 F of the Industrial Disputes Act, 1947. Accordingly, the workman has prayed that his termination order, terminating his services w.e.f. 15-2-2002 be cancelled and he be reinstated with all consequential benefits.

4. The management of the BSNL in its written statement has disputed the claim of the workman and has submitted that it never engaged the workman in any capacity at any point of time and he was not retrenched at all. It has further submitted that the appointment on the post of Line Man can only be done according to the Indian Telegraph Manual, Vol. IV and in the instant case the workman himself has stated that he was not given any appointment letter. The management has also denied of engaging the workman as daily wage or making any payment on Muster Roll as the practice of engaging labourers, was discontinued by the department in 1987 itself. Thus, the management of the opposite party has prayed that the claim of the workman be rejected being not maintainable.

5. The workman's union has filed rejoinder whereby it has only reiterated its averments in the statement of claim and has not introduced any new fact.

6. The workman has filed photocopies of certain documents, less any appointment order, in support of his case, with the statement of his claim, list of documents and oral evidence in form of affidavit whereas the management has not filed any documents with written statement, although it has disputed the authenticity of the documents filed by the workman. The workman was cross-examined by the opposite party. After workman's evidence the management was provided opportunity to file its evidence in form of affidavit and it afforded the same and filed affidavits of its witnesses viz. Shri Ram Gopal Singh, Phone Mechanic (MW-1) and Shri Rajendra Prasad, Divisional Engineer (A&P) (MW-2) in support of their case and the workman cross-examined MW-1, Shri Ram Gopal Singh on 1-5-2007 and next date i.e. 10-7-2007 was fixed for cross-examination of MW-2. But the management witness remained absent on 10-7-2007; accordingly, it was presumed that the witness does not want to get cross-examined and case proceeded ex-parte against the management and next date was fixed for arguments on 16-7-2007. On the date fixed for arguments the management moved application to recall ex-parte orders and the same was recalled vide order dated 6-8-2007 and next date i.e. 16-10-2007 was fixed for cross-examination of the MW-2. Thereafter, the workman was afforded several opportunities for cross-examination of the MW-2 i.e. on 24-2-2009, 21-4-2009, 8-7-2009 and 2-9-2009, but the workman did not turn up for the same; accordingly, the case was ordered to proceed ex-parte against the workman on 2-9-2009 and 16-9-2009 was fixed for arguments.

7. The workman again remained absent on the following dates fixed for argument i.e. on 16-9-2009, 1-10-2009, 14-10-2009, 18-11-2009, 20-1-2010, 26-2-2010, 30-3-2010, 4-5-2010, 29-6-2010, 3-8-2010 and 28-10-2010; whereas the management filed its written arguments on 14-10-2009. When the workman did not turn up for putting forward its arguments the case was reserved for award.

8. The workman in its statement on oath has stated that he has been employed by the employers, without any appointment letter, as a daily rated employee on Muster Roll for doing work of Line Man in Aammapur w.e.f. 1-1-97 and he worked as such continuously up to 14-2-2002 when his services have been terminated on 15-2-2002 without any warning or charge-sheet. The workman has also annexed photo copies of two ACG-17 vouchers towards the payment made to him, which are not admitted by the management. In his cross-examination the workman has stated that he was appointed by SDO on the post of Line Man without any appointment letter and he used to repair telephone without any training. Further, he has stated in his cross-examination that he was not given any written order either to bring Diesel or to operate the Generator and he was stopped to perform duties orally by the SDO.

9. The management witness (MW-1) Shri Ram Gopal Singh has stated in his cross-examination that he has never seen the workman working in the office. The

SDO has not authority to appoint any casual worker. The practice of appointing casual worker was discontinued in 1997, therefore, there arise no question of engaging casual labour at Rs. 1800 per month on ACG-17. It has also stated in that the documents submitted by the workman in support of his claim are fake.

9. The management witness (MW-2) Shri Rajendra Prasad has stated on oath that the workman was never appointed as Line Man in the department as appointments are made in accordance with the Telegraph Manual, Vol. IV by the higher authority. The workman was never issued any appointment letter, much as practice of Muster Roll was discontinued about in 1987, therefore, there arise no question of payment through Muster Roll. It has also stated that evidences produced by the workman are false and He has not been cross-examined by the workman.

10. Admittedly, no appointment letter was issued and no post was ever advertised for the appointment. There is no evidence of the workman that SDO was authorised to engage daily wages. He has not produced attendance register or any other documentary evidence to prove this fact that he was paid on monthly salary for the period mentioned in his statement. Although he has filed photo copy of two ACG-17 vouchers in support of his claim; but in view of denial of the management regarding its genuineness, it was the workman to substantiate his claim by summoning the original from the employer, but he failed to do so.

11. It is well settled that if a party challenges the legality of order the burden lies upon him to prove illegality of the order and if no evidence is produced the presumption invoking jurisdiction of the court, must fail. In the present case burden was on the workman to set out the grounds to challenge the validity of the termination order and to prove that the termination order was illegal. It was the case of the workman that he had worked continuously w.e.f. 1-1-1997 till 14-2-2002, without any appointment letter. This claim has been denied by the management, therefore, it was for the workman to lead evidence to show that he had in fact worked continuously w.e.f. 1-1-1997 till 14-2-2002. In (2002) 3 SCC 25 Range Forest Officer v. S. I. Hadimani Hon'ble Apex Court has observed as under:

"It was the case of the claimant that he had so worked but this claim was denied by the appellant. It was then for the claimant to lead evidence to show that he had in fact worked for 240 days in the year preceding his termination. Filing of an affidavit is only his own statement in his favour and that can not be regarded as sufficient evidence for any court or tribunal to come to the conclusion that a workman had, in fact, worked for 240 days or order or record of appointment or engagement for that period was produced by the workman. On this ground alone, the award is liable to be set aside."



12. Analyzing its earlier decisions on the aforesaid point Hon'ble Apex Court has observed in 2006 (108) FLR 241 Vellati & Asstt. Executive Engineer as follow :

"It is clear that the provisions of the evidence Act in terms do not apply to the proceedings under Section 10 of the Industrial Disputes Act. However, applying general principles and on reading the aforesaid judgments we find that this Court has repeatedly taken the view that the burden of proof is on the claimant to show that he had worked 240 days in a given year. This burden is discharged only upon the workman stepping in the witness box. This burden is discharged upon the workman adducing cogent evidence, both oral and documentary. In cases of termination of services of daily wages earner, there will be no letter of appointment or termination. There will also be no receipt or proof of payment. Thus, in most cases, the workman (claimant) can only call upon the employer to produce before the Court the nominal muster roll for the given period, the letter of appointment or termination, if any, the wage register, the attendance register etc. Drawing of adverse inference ultimately would depend thereafter on facts of each case. The above decisions however make it clear that mere affidavits or self serving statements made by the claimant/workman will not suffice in the matter of discharge of the burden placed by law on the workman to prove that he had worked for 240 days in a given year. The above judgments further lay down that mere non production of muster rolls per se without any plea of suppression by the claimant workman will not be the ground for the tribunal to draw an adverse inference against the management."

13. In the present case the workman has stated that he has worked continuously w.e.f. 1-1-1997 till 14-2-2002, but has not produced any original documents in support of his oral evidence, merely filing of affidavit is not sufficient; nor did he turn up to cross-examine the management witness or to forward his oral argument. Merely pleadings are no substitute for proof. Initial burden of establishing the fact of continuous working w.e.f. 1-1-1997 till 14-2-2002 was on the workman but he has failed to discharge the above burden. On the other hand the management by the way of its witnesses viz. Shri Ram Gopal and Shri Rajendra Prasad has well proved that the workman was never engaged as Line Man at any point of time and he was not retrenched at-all and also that the appointment on the post of Line Man can only be done according to the Indian Telegraph Manual, Vol. IV and any engagement as daily wages or making any payment on Muster Roll could not be made as the practice of engaging such labourers, was discontinued by the department in 1987. Thus, there is no reliable material for

recording findings that the workman had worked continuously w.e.f. 1-1-1997 till 14-2-2002 before the date of his alleged termination i.e. 15-2-2002 and unjust or illegal order of termination was passed by the management.

14. Accordingly, in view of the discussions made above, the reference is answered as above.

Dr. MANJU NIGAM, Presiding Officer

Lucknow  
20-10-2010.

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3029.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (संदर्भ संख्या 201/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-11-2010 को प्राप्त हुआ था।

[सं. एल-12014/01/2010-आईआर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 18th November, 2010

S.O. 3029.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 201/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial dispute between the Management of State Bank of India and their workman, received by the Central Government on 16-11-2010.

[No. L-12014/01/2010-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT  
HYDERABAD

Present: Shri Ved Prakash Gaur, Presiding Officer

Dated the 3rd day of August, 2010

Industrial Dispute L.C. No. 201/2004

Between :

Sri I. Vijaya Sekhar,  
S/o I. Sunder Rao,  
R/o Plot No. 67, Lake View  
Residence, Sainikpuri,  
Secunderabad-94

...Petitioner

AND

The Chief General Manager (Personal),  
State Bank of India,  
Local Head Office,  
Bank Street, Koti,  
Hydrabad.

...Respondent

#### APPEARANCES:

For the Petitioner : M/s S. Prasada Rao, C.V.  
Vysampayan, C. Bala Subramanyam,  
K. Jhansi Rani & B. Bala Sundar,  
Advocates

For the Respondent : M/s B.G. Ravindra Reddy & B.V.  
Chandra Sekhar, Advocates

#### AWARD

This petition has been filed by Sri I. Vijay Sekhar, ex-employee in view of the judgment of the Hon'ble High Court of Andhra Pradesh reported in 1997 (3) LLJ Supplement, page 1141 in W.P. No.8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others, challenging order of disengagement dated 31-7-1997 as illegal, arbitrary and violative of principles of natural justice and an outcome to unfair labour practice.

2. It has been submitted that he was appointed as Messenger in December, 1983 in Respondent organization at Nellore branch. He worked upto 31-3-1997. Thereafter, he was stopped from working under the orders of the Respondent. Respondent wanted to prepare panel of its employees for giving posting in the vacant posts and the workman was also called for interview in the year 1992. He was empanelled in the year 1994 and worked upto 1997 i.e. for totally 807 days.

3. The Petitioner and other similarly situated workmen filed W.P.No. 4194/97 and the batch of other writ petitions which were disposed off by common order and on which Respondent preferred writ appeals in W.A.86/98. Mean while in contempt petition C.C. 27/97 the Hon'ble High Court of A.P., has ordered for mutual discussions and an understanding was arrived at between representatives of temporary and casual workers on 1988 panel and 90-92 panel, while so the applicant was not considered but his juniors were considered. It is submitted that the Petitioner has crossed the age of recruitment. The Petitioner possess the requisite qualification for the post of messenger which is as follows, "those who have completed minimum of 30 days aggregate any calendar month after 1-7-1995 or 75 days in aggregate in a continuous block of 36 calendar months after 1-7-1975 were called for interview by virtue of a settlement dated 17-11-1987." Thereafter, Respondent has entered into fresh settlements on 9-1-91, 30-7-1996 etc.. It is submitted that the Respondent has not followed the provisions of Sec.25(F) of the Industrial Disputes Act, 1947. Admittedly 1st settlement dated 17-7-1989 was not implemented before the valid date, there were subsequent agreements on 16-10-1988, 27-10-1988 followed by

agreements on 26-4-1994 which shows that the earlier settlements were modified the intention to give chance to empanelled people was not followed by the Respondent. Since his termination the Petitioner could not secure alternative employment inspite of his best efforts, he prayed that the action of the management on termination, discharge of Petitioner from service be held as illegal, arbitrary and unjust and direct the Respondent management to reinstate the Petitioner into service with continuity of service, back wages and all other attendant benefits.

3. As against this, the Respondents filed counter statement denying the allegations in the claim statement of the petitioner. It is submitted that the Petitioner was never appointed as messenger/sweeper-cum-water boy/watchman by the respondent and never terminated from service on 31-3-1997. It is further submitted that under exigencies and in leave vacancies bank used to take temporary sub-staff and it is further explained the stipulated rules, agreements and settlements under which the temporary employees were categorized. According to categories, panels were prepared. Various settlements were arrived at between the Employees Federation and the management bank on 17-11-87, 16-7-1988, 27-11-1988, 9-1-1991. It is submitted that as per settlements panels were prepared as per the eligibility of the employees according to their number of working days for messenger and non-messengers in the descending order of temporary service put in by the candidates during the period mentioned. It was further agreed that all messengerial & non-messengerial vacancies/positions in the subordinate cadre were filled up within the stipulated period. The last extension of the period for expiry of panels is 31-3-1997. The settlements were made as one time measure to bring about an end to the practice of such engagement. It is submitted that the petitioner has not worked for the number of days as shown by him in his claim statement. As such this petition is liable to be dismissed.

4. Both the parties were directed to file their evidence. Petitioner filed his affidavit as evidence but did not appear for cross examination, as such, the evidence of the workman was closed. Respondent has also not filed any evidence and the evidence of Respondent was also closed.

5. No party appeared on the last date of hearing as such, I have gone through the claim statement and counter statement and material placed by the workman. It is admitted case of charge sheeted employee that he was disengaged in the year 1997. Thereafter he filed Writ Petition before Hon'ble High Court, however, no order of Hon'ble High Court of A.P., has been filed by him. He himself has stated in the claim statement that against the order of Hon'ble Single Judge, W.A. 86/98 was filed wherein the order passed by Learned Single Judge was set aside, the Petitioner workman filed Special Leave Petition before Hon'ble Supreme Court which was dismissed, meaning thereby that no relief was granted to the Petitioner through

the writ petition filed by him and after exhausting the forum of writ jurisdiction this petition under Sec.2A(2) has been filed by him after seven years of his being disengaged from the service i.e., in the year 2004. However, he has not been able to file or produce any such material before this tribunal that the Petitioner has worked for more than 240 days in a year prior to his disengagement from the services.

6. Petitioner has raised a plea that the procedure laid down under Sec.25F was not followed in his case though he worked for 803 days before disengagement from the service from 1983 to 1997. This contention of Petitioner prove that worked for 803 days in a span of 14 years. There is no proof that during the entire period of 14 years the Petitioner has worked for more than 240 days in any of the year. He has worked for 201 days from 28-4-93 to 26-3-94, from 14-6-94 to 31-3-95 for 142 days, from 21-8-95 to 16-2-96 for 73 days, from 11-3-96 to 30-3-97 for 101 days. This prove that Petitioner has not worked for 240 days in any of the year preceding date of his disengagement. Thus, the provision of Sec.25F of Industrial Disputes Act, 1947 is not applicable in the present case and the non-compliance of that provision neither fatal nor it adversely affect the disengagement order. No other document has been placed by the Petitioner workman, as such, he has not been able to prove that he worked regularly without any break from 1983 to 1997 or he has worked for more than 240 days in any of the calendar years preceding date of his disengagement, as such, the Petitioner is not entitled for reinstatement and this petition is devoid of any merit, deserves to be dismissed and it is dismissed as such, hence, this award.

Award passed accordingly. Transmit.

Dicated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her and corrected by me on this the 3rd day of August, 2010

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witness examined for the Petitioner	Witness examined for the Respondent
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WW1: Sri I. Vijay Kumar	NIL
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#### Documents marked for the Petitioner

NIL

#### Documents marked for the Respondent

NIL

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3030.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 50/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[ सं. एल-22012/270/2005-आई आर(सीएम-II) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

**S.O. 3030.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 50/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial dispute between the Management of M/s. Singareni Collieries Co. Ltd., and their workman, which was received by the Central Government on 18-11-2010.

[No. L-22012/270/2005-IR (CM-II)]

D.S.S. SRINIVAS RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

**Present: Shri Ved Prakash Gaur, Presiding Officer**

Dated the 4th day of August, 2010

**Industrial Dispute No. 50/2006**

**Between :**

The President

Sri Bundari Lingaiah

Singareni Collieries Employees Union (CITU)

Mandamarri Division, Mandamarri,

Adilabad district-504231

...Petitioner

**AND**

The General Manager,

M/s. Singareni Collieries Company Ltd.,

Mandamarri Division, Mandamarri.

Adilabad district-504231

...Respondent

#### APPEARANCES :

For the Petitioner : M/s A. Sarojana & K. Vasudeva  
Reddy, Advocates

For the Respondent : M/s P.A.V.V.S. Sarna & Vijaya Laxmi  
Panguluri, Advocates

#### AWARD

This case has been registered on the basis of reference received from Government of India, Ministry of Labour by its order No. L-22012/270/2005-IR(CM-II) dated 17-6-2006 under section 10(1)(d) of the I.D. Act, 1947 to adjudicate the dispute between the management of M/s. Singareni Collieries Company Ltd., and their workman. The term of reference is as under:

### SCHEDULE

"Whether the action of the General Manager, M/s. Singareni Collieries Company Ltd., Mandamarri Division, Mandamarri, Adilabad District, in terminating the services of Sri Pittala Ravinder, General Mazdoor, KK-2 Incline, Mandamarri Division with effect from 26-4-2002 is legal and justified? If not, to what relief is the workman is entitled?"

The reference is numbered in this Tribunal as I.D. No. 10/2006 and notices issued to the parties.

2. The claim statement has been filed by the President Singareni Employees Union, Mandamarri branch Adilabad district stating therein that one of its member Sri P. Ravinder was appointed as badli filler on 6-10-1986 and he was confirmed as coal filler in the year 1991. He has been working regularly without adverse remarks. While doing so, during the year 2000 the Petitioner became sick on account of kidney problem, in the mean time he was implicated in a false criminal case registered in crime No.51/2000 PS Mandamarri under Section 302, 201 of IPC and he was arrested by the police and he was kept under remand from 4-4-2000 to 24-7-2000 and thereafter he was released on bail. After his release from the jail Petitioner returned for duty. However, the criminal prosecution was continued before Hon'ble District and Sessions Judge, Adilabad frequently, which is about 200 KM away from the work place. Apart from the above criminal case the Petitioner was suffering ill-health and he was under the pressure of criminal proceeding foisted against him as such, he was undergoing great mental agony which forced him to be irregular to his duties. During course of his judicial custody he has undergone operation at MGM Hospital, Warangal for his kidney problem. On the conclusion of the criminal proceeding the Petitioner was convicted to undergo life imprisonment. However, he filed an appeal before Hon'ble High Court and he was acquitted on 12-12-2003.

3. While the matter stood thus, a charge sheet dated 31-1-2001 was issued under company standing order No.25.25 the Petitioner has put in only 64 musters during the year 2000 and he remained absent without any reasonable or sufficient cause. On receipt of the charge sheet Petitioner submitted his explanation on 10-2-2001 but the management was not satisfied with the explanation submitted for the domestic enquiry and Enquiry Officer was appointed who has based his finding on lopsided enquiry. He was of the opinion that the charges against the workman were proved on the basis of the finding submitted by the Enquiry Officer, the Petitioner was dismissed from the service. Then, union proceeded for conciliation, however, conciliation proceeding failed and the conciliation officer reported the matter to the Government of India who has referred this dispute to this tribunal. The Enquiry Officer has not followed the

principles of natural justice. Enquiry was conducted in a language not known to the Petitioner workman. Since the Petitioner has to attend court case 200 KM away from his workplace, he could not attend to his duties regularly. He was suffering kidney problem that was the reason for his non-attendance of the duty. These matters have not been considered by the Enquiry Officer.

4. The Petitioner has challenged the findings of the enquiry on the basis of bias in appointing Enquiry Officer, opportunity and in violation of principles of natural justice, etc.

5. It has been contended by the Petitioner that the management through their counter statement dated 1-2-2001 Petitioner was appointed on 16-8-1986 and he worked as a general mazdoor from 1-7-1996. His contention that he was sick during the year 2000 is not correct. Had he been sick he could have availed the medical facility being extended by the Respondent management through its dispensary, area hospital and main hospital. He could have been kept sick in the colliery hospital, but he did not do so. The Petitioner has not been able to substantiate the Petitioner's ailments with any valid documentary evidence. If he was involved in criminal case it was his responsibility to report to his superiors but he did not do so. He has put in only 64 musters which amount to misconduct under standing order No. 25.25. He was served with a charge sheet. He submitted his explanation but without any documentary proof. The Petitioner failed to produce any medical certificate during course of domestic enquiry. However, on that basis of the statement given by the workman during enquiry proceeding that he remained under remand from 4-4-2000 to 24-7-2000, this period of absence has been considered by the Enquiry Officer and he has given his opinion that during this period the absence of the workman was due on reasonable grounds. However, the Petitioner has not been able to prove that he has been suffering from kidney trouble, or he has taken treatment from any hospital during enquiry proceeding. Management witnesses were examined in the presence of the delinquent employee. Delinquent employee did not cross-examine those management witnesses. Though he was afforded opportunity to cross-examine them. He was given opportunity to produce his evidence and he examined himself in his defence. Thereby the principles of natural justice has been observed by the Enquiry Officer. He has followed the principles of natural justice proceedings. No illegality or irregularity has been committed by the Enquiry Officer. The Petitioner has admitted during course of enquiry about his guilt. Enquiry Officer's findings is based on material available before him. The Enquiry Officer found that the charges against the Petitioner were proved and thus, the punishment imposed on the Petitioner is neither excessive nor disproportionate. Thus, the action of management in terminating the services of the Petitioner is legal and justified as such, the workman is not entitled for relief.

6. Both the parties were directed to produce their evidences. Petitioner workman has not filed any evidence. However, Respondent management has filed 8 documents and the entire domestic enquiry proceedings papers running into 16 pages which consists of charge sheet, explanation of the workman, a certificate from office of the Superintendent, Asifabad jail, enquiry proceeding book possessing statement of S/Sri Y. Venkateswarlu and K. Narayana Rao and charge sheeted employee i.e., P. Ravinder and the enquiry report letter of the office or management addressed to the workman calling for his explanation against the enquiry report and punishment order.

7. The Petitioner workman has challenged the legality and validity of the domestic enquiry through his claim statement. However, on 20th March, 2009 the Learned Counsel for the workman filed memo conceding the legality and validity of the domestic enquiry, thus, on the basis of his conceding memo, domestic enquiry held to be legal and valid and the case was posted for argument under Sec. 11A.

8. I have heard both the counsels. They have filed written arguments on behalf of their respective parties.

9. Learned Counsel for the Petitioner union through his written submission has submitted that the Petitioner workman has worked for 64 musters during the year 2000. He was implicated in a case of murder and he was sent to jail from 4-4-2000 to 24-7-2000 for which he has submitted a certificate through the concerned Jail Superintendent after being released from the jail he has attended to the duty. Further, due to kidney problem he could not put regular duties. Documents submitted by the management during the course of enquiry also prove that workman could have worked for 64 days. The Enquiry Officer's report is biased hence, no punishment could have been inflicted on the basis of such biased report, because the Enquiry Officer has not given any finding regarding the sickness of the Petitioner workman. No doubt, the Enquiry Officer has held that since Petitioner workman was in judicial custody w.e.f. 4-4-2000 to 24-7-2000, that period of absence can be excluded. But, no finding has been given on the statement of the Petitioner that in the year 2000 he was suffering from kidney problem and has undergone treatment in MGM hospital and due to this he could not attend to his duty.

10. As against this argument Learned Counsel for the Respondent has argued that the Petitioner workman has no doubt stated that he was suffering from kidney problem and taken treatment in company's hospital as well as MGM hospital, Warangal. However, in his own explanation dated 10-2-2001 the Petitioner himself has stated that, "during the remand period I was operated for my kidney problem at MGM hospital, Warangal." This itself proved that Petitioner kidney problem was treated during the period he was under judicial custody. Nowhere in his statement the Petitioner has stated that he took treatment for the kidney problem after release from the Jail or before his release from the Jail. Thus, the argument that

the statement of the Petitioner was not considered by the Enquiry Officer is misconceived and without any basis.

11. I have considered the above argument. This tribunal has to determine the following points:

"(I) Whether the action of the management of M/s. Singareni Collieries Company Ltd., in terminating the services of the Petitioner Sri P. Ravinder is legal and justified?

(II) If not, to what relief the Petitioner is entitled?"

12. **Point No. (i) :** From the written submissions of the parties it is undisputed fact that Petitioner workman was appointed in the year 1986 and he was confirmed as coal filler in the year 1991 or 1996. The material year is 2000 wherein it is alleged that Petitioner put in only 64 musters during the entire period and he remained absent for more than 300 days and thereby he has committed misconduct under company's standing order 25.25. This material fact is also not disputed by the workman. He has stated through his claim statement that he put in only 64 musters for which he has given an explanation that he suffered from kidney ailment, he was implicated in a serious criminal case of the murder. He was arrested by the police and he was remanded to the judicial custody. He remained in the jail from 4-4-2000 to 24-7-2000, he has stated that his absence during that period was for a reasonable cause. I have considered this material aspect of the case. The Enquiry Officer has also considered this aspect during course of enquiry, he has come to the conclusion that though the absence of Petitioner for entire period of his absence is unjustifiable however, he was in judicial custody from 4-4-2000 to 24-7-2000 and he was not convicted in the final verdict of the Hon'ble Court. Hence, that period of absence is excluded. Thus, there is no force in the contention of the Learned Counsel for the Petitioner that the Enquiry Officer has not considered the absence of the Petitioner during his retention in the jail. I do not find any force in this argument and submission of the Learned Counsel for the Petitioner workman, because the Enquiry Officer has considered this point and has excluded this period from his unauthorized absence. However, the material available in the enquiry proceeding book, there is no piece of paper which may go to prove that Petitioner ever informed the management about his retention in the jail or about his sickness. Even if the Petitioner was in judicial custody it was his bounden duty to inform the management or his employer that he is unable to come for the duty as he was arrested in a criminal case and has been detained in a jail. There is nothing on record to show that workman has taken any step to inform the management about his absence. Even then, the Enquiry Officer has excluded this period from his unauthorized absence. If this period is excluded from the unauthorized absence of the Petitioner, the total period comes to 140 days when workman remained in Jail. The workman has put in only 64 musters thereby he has explained for 204 days of his duty but for remaining period of his absence no explanation has been submitted. The one which was submitted by the

Petitioner through his written letter dated 10-2-2001 he has informed that he was suffering from the kidney problem and he was operated for the kidney problem at MGM Hospital during his detention period. If this contention of the Petitioner is taken to be wholly correct even then, it will not be a sufficient ground for the Petitioner to remain absent after his release from the Jail or from the hospital. Workman has not been able to brought forward the date on which he was operated in MGM hospital, when he was discharged from MGM hospital and what was the ailment for which he was operated in the MGM hospital and what was the advise of the Doctors after the operation. These are very material questions which were to be explained by the Petitioner workman for proving that his absence is for reasonable cause. He has not explained either before the Enquiry Officer or before this tribunal, as such, this tribunal is of the definite opinion that Petitioner workman remained absent for insufficient cause and he has committed misconduct within the meaning of 25.25 of Standing Orders of the company and in that event the management has not committed any illegality in terminating the services of such careless and indisciplined worker. The conduct of the Petitioner prove that he is so unwilling worker he did not put in regular musters even after his release from the jail he has remained absent in the month of August from 1-12, 14, 22, 24, 25, 29 and 31, in September 1, 7, 13 to 15, 18, 19, 22, 28 to 30, in October 5, 14, 17, 19 to 21, and 24, in November 10, 13, 17, 20-22, and 30 and in December 1, 6, 8, 14, 25 to 27. This prove that Petitioner is careless. He is not a serious worker and thus, the punishment imposed by the management is legal and justified. Point No.(I) is decided accordingly.

13. **Point No.(II):** Learned Counsel for the Petitioner workman has argued that the punishment of dismissal from the service is a capital punishment and Petitioner could have been awarded lesser punishment. I have considered this argument but, the record shows that the conduct of the Petitioner is highly objectionable. He was involved in criminal case though he was acquitted from court, he remained in jail and he did not informed the management, after release also he did not resume duty immediately. He remained absent for other days. All this prove that the punishment inflicted or imposed on the workman is the only punishment which could have been imposed on the Petitioner. The Petitioner workman has not been able to prove that his termination order is illegal or unjustified or he has been imposed with excessive or disproportionate punishment. He is not entitled for any relief. Point No.(II) is decided accordingly.

14. To sum up from the above discussion this tribunal is of the opinion that the management has not committed any illegality in terminating the services of workman Sri P. Ravinder and he is not entitled for any relief and petitioner deserves to be dismissed. Hence, the award.

Award passed accordingly, Tribunal.

Dicated to Smt. P. Phani Gowri, Perusal Assistant, transcribed by her corrected by me on this the 4th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

### Appendix of evidence

Witnesses examined for the Petitioner      Witness examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3031.—औद्योगिक विवाद अधिनियम, 1947 (14 of 1947) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इस आदेश (सं. एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचात (संदर्भ संख्या 127/2006) को प्रभावित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आई आर (का. 3031)]

डी. एस. एस. श्रीनिवास राव, डेस्क ऑफिसर

New Delhi, the 18th November 2010

**S.O. 3031.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. L-22013/2006) of the Central Government Industrial Tribunal cum Labour Court, Hyderabad as shown in the Annexure. In the Industrial Dispute between the employers in relation to the Management of M/s. SCCL and their workman, which was received by the Central Government on 18-10-2010.

[No. L-22013/1/2010-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

### ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

**Present:** Shri Ved Prakash Gaur, Presiding Officer

Dated the 5th day of October, 2010

**Industrial Dispute L.C. No. 127/2006**

**Between :**

Sri Bolisetti Shankar,  
S/o Mallaiah,  
C/o Smt. A. Sarojana, Advocate,  
Flat No. G7, Ground Floor, Rajeshwari  
Gayatri Sadan, Opp: Badruka Jr. College  
For Girls, Kachiguda,  
Hyderabad.

...Petitioner



2. It is alleged by the Petitioner that he was appointed as Asst. Tiler in 1988 and later he was confirmed. The Petitioner suffered with ill-health recurrently, he underwent treatment at various hospitals, as such he could not be regular to his duties. A charge-sheet dated 1-1-2004 was issued alleged that the Petitioner has worked for 4 days during 2003 which amount to misconduct under company's Standing Orders No. 25.25. The Petitioner has submitted his explanation but the Respondent were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report on the basis of a show cause notice dated 19-4-2004 to the Petitioner against which Petitioner submitted his reply on 14-5-2004. The Disciplinary Authority did not consider the submission made by the Petitioner and passed dismissal order of Petitioner w.e.f. 16-8-2005 vide order dated 7-4-2005. The Petitioner was absent due to ill-health and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman. He submitted his enquiry report with a predetermined notion as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding. Hence, it is prayed that the impugned order dated 7-4-2005 issued by Respondent No.1 be declared as illegal and arbitrary and set aside the same consequently directing the Respondents to reinstate the Petitioner into service with all consequential benefits.

7. It is admitted fact that the Petitioner has put in only 4 musters during the year 2003 for which a charge sheet dated 1-1-2004 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent due to ill-health and family

problems. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge.

8. This tribunal has to consider the following points:

(1) Whether the absence of Petitioner during the year 2003 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?

(2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?

9. **Point No. 1:** The Petitioner has submitted that he remained ill during the year 2003 due to which he remained absent and put in 4 musters during the year 2003. His statement was recorded by the Enquiry Officer and during the course of the enquiry he stated that he worked for 4 days and remained absent for the rest of days in the year 2003. Due to health problem the Petitioner has underwent treatment at various hospitals. But has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 9-1-2004 he has not mentioned what was the cause of his ill-health and where did he took treatment. He simply written that he took treatment at various hospitals. But to which hospital, the Petitioner has gone was neither mentioned in the explanation dated 9-1-2004 nor in his statement before the Enquiry Officer. As against this, the management has produced Sri M. Suryanarayana Rao, OS, SMG-I Incline and Sri N.S.S.S. Murthy, Paysheet clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 2003 from January to December except for 4 days of his attendance. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was unable to prove that his absence during the year 2003 was due to sufficient reason. Though he stated that he was absent due to ill-health but he is not able to provide any evidence or material in support of his illness. Even if it is presumed that Petitioner remained absent due to the ill-health why he did not informed his superiors regarding his illness has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 2003 and putting only 4 musters in the year 2003 was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 2003, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para

25.25 of the Standing Orders of the company. Point No. 1 is decided accordingly.

10. **Point No.2:** So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 2003, he has voluntarily intimated before the Enquiry Officer that he remained absent during 2003 and could attend only 4 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 2000, 2001 and 2002 but it was not mentioned in the charge sheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 2003 but for 4 days attendance during the entire year 2003 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.

12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant, transcribed by her and corrected by me on this the 5th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witness examined for the Petitioner	Witness examined for the Respondent
NIL	NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL



नई दिल्ली, 18 नवम्बर, 2010

आदेश, 2010.— (क) विवाद अधिनियम, 1947 (1947 का अधिनियम 17) में अनुसूची 1, केन्द्रीय सरकार एस.सी.सी.एल. को 19-2-2002 को प्रेषित निवेदन के अन्तर्गत कर्मचारों के बीच, कर्मचारों के विवाद के संबंध में केन्द्रीय सरकार औद्योगिक विवादों के निपटारे के अधिकार के अन्तर्गत संख्या 38/2007) के अन्तर्गत आदेश है, जो केन्द्रीय सरकार को 18-11-2010 को प्रेषित है।

[No. L-22013/1/2010-IR (सी-II)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

**S.O. 3032.**—in pursuance of Section 17 of the Industrial Disputes Act, 1947 (17 of 1947), the Central Government hereby publishes the award (Ref. No. 38/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of SCCL and their workmen, which was received by the Central Government on 18-10-2010.

[No. L-22013/1/2010-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-COM-LABOUR COURT AT HYDERABAD

**PRESENT : SHRIVED PRAKASH GAUR, Presiding Officer**

Dated the 5th day of October, 2010

**Industrial Dispute L. C. No. 38/2007**

#### BETWEEN:

Sri N. Ravi Babu,  
S/o Veeraiah,  
R/o 20-172/1, Sanjaynagar,  
Yellandu Post,  
Khammam District

... Petitioner

#### AND

The Director (PA & W),  
M/s. Singareni Collieries Company Ltd.,  
Yellandu, Khammam district

... Respondent

#### APPEARANCES:

For the Petitioner : Sri P. Sudheer Rao,  
Advocate

For the Respondent : M/s. M.V. Hanumantha Rao  
& K. Seetharama Rao,  
Advocates

#### AWARD

This claim petition u/s 2A (2) of the I.D. Act has been presented by Sri Ravi Babu, and ex-employee of the Singareni Collieries Company Limited has been filed with prayer that termination of his services dated 28-1-2004 be

declared as illegal, arbitrary and set aside the order of termination and petitioner be reinstated in the services with all consequential benefits in the light of case law reported in judgment of the Hon'ble High Court of Andhra Pradesh W. P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It has been submitted by the petitioner in his claim statement that the petitioner was appointed as badli filler on 1-8-2000 at IK—IA incline. Petitioner was regular to his duties till 19-2-2002, however, on 19-2-2002 petitioner met with an accident in the mines and the Petitioner was seriously injured. He was admitted in the hospital and he was on sick leave from 19-2-2002 to 9-3-2003. Thereafter he was admitted in private hospital and got treated being on sick leave from 19-2-2002 to 9-3-2003. He informed the Respondent about his illness but without considering the same Respondent has issued a charge sheet dated 11-12-2002 was issued to the petitioner in which it was alleged that Petitioner remained absent on number of days without leave or sufficient cause during the year 2002.

3. On receipt of the same, petitioner submitted his explanation explaining the reason for his inability to remain absent but without considering the merits of the submissions made by the petitioner an enquiry was ordered to be conducted. It is submitted that the absence period mentioned in the charge sheet is false and incorrect as Petitioner was under sick leave for the period from 19-2-2002 to 9-3-2002 due to an accident that took place in the mine. He was seriously injured, he attended the duties in the month of March, 2002, on 14th, 21st and 22nd of March, 1st and 18th of April, 8th and 16th of May, 1st and 26th of June, 1st and 26th of September, 2002 but these were also mentioned as absent from duty in the charge sheet. Without considering the facts and circumstances of the case the Enquiry Officer held the charges to be proved vide report dated 18-7-2003. The Respondent has failed to apply his mind while issuing the dismissal order dated 28-1-2004.

4. The Petitioner has further challenged the order of the dismissal on the ground that the impugned dismissal order was not approved by the competent authority and no approval was obtained as per standing orders. No opportunity was given to the Petitioner to contradict the charges. The reason given by the Enquiry Officer is not valid because he has proceeded with the pre-conceived notion, the proceeding was held in a language not known to the Petitioner. The Enquiry Officer's report is based on irrelevant evidence and evidence of such witness who has no personal knowledge about the Petitioner. The submission of the Petitioner was not considered by the Enquiry Officer or disciplinary authority. The Petitioner's submission raised before the Enquiry Officer remained un-rebutted as the Petitioner has categorically pleaded that he remained absent due to ill-health. It was not rebutted

by the Respondent's management as such, under the established principles of the law un-rebutted evidence is taken to be proved. The Petitioner attended his duty on 14, 21 and 22 of March, 2002, 1 & 18 of April, 2002, 8th & 10th May, 1st & 2nd June, 1st & 26th September, 2002 whereas the Respondent has shown the Petitioner to be absent on those dates. The Enquiry Officer has not considered the omission of the Petitioner and his evidence regarding his ill-health in the month of February, 2002 to March, 2002 and the sickness certificate of the Mines Hospital. Petitioner has submitted medical certificate of the Respondent organization which was issued to him from time to time. Thus, reports of the Enquiry Officer regarding the Enquiry Officer are based on no evidence and untrue. He submitted that the Enquiry Officer should have considered the presence of the Petitioner in the morning the major portion of the day of January 2002. Hence, the chargesheet dated 14-2-2002 and the order dated 14-2-2004 are illegal, null and void. The Respondent is reinstating the Petitioner and settling with him back wages and all other attendant benefits.

3. Respondent management has contended through its counter statement that the Petitioner was appointed as such filler on 1-2-2000 at IK—IA incline, Biramgarh area. That Petitioner met with an accident in the shift of 19-2-2002 and he was on accident sick leave from 19-2-2002 to 9-3-2003. Petitioner's attendance particulars from the year 2000 are furnished as under:

Year	Attendance
2000	379
2001	197
2002 (upto November, 2002) charge sheet issued	675
2003	101
2004 (Upto 14-2-2004)	331

It is seen from the above that the Petitioner failed to put the mandatory 190 musters in any year from 2002 onwards. The Respondent management has checked these dates through the attendance register, pay sheets, attendance in lamp room and tub account book and found that the Petitioner was absent from the duty on the above dates and he has not worked in Respondent concern. It is true that the Petitioner was on sick leave from 19-2-2002 to 9-3-2002 due to accident and that period was not considered as unauthorized absence. As such the allegation of the Petitioner was not found to be true and Enquiry Officer has submitted his report on the basis of the evidence produced before him and taking into consideration the entire evidence available before him. The contention of the Petitioner that the enquiry report is based on no

evidence or misreading of the evidence is not proved. During enquiry the Petitioner admitted that it was his mistake for not putting any dates in the muster and pleaded to excuse him in future. He also stated that he will do the same in future. Also a complaint was made by the Respondent that the Petitioner was absent from the duty in 2003 and 1 muster in the year 2004. The Respondent was caused a loss of Rs. 1,00,000/- due to the unauthorized absence of the Petitioner on 23-1-2004. It is submitted that the Petitioner was absent and had put in only 75 days which is less than 100 days of the company, the absence of the Petitioner is not due to any sufficient cause which is not covered by the Standing Orders 25.25 of the company. The chargesheet is not bad in the light of articles of the contract of employment 302 State of U. P. and other provisions. The petition be dismissed and the chargesheet be confirmed.

6. As the legal representation of the Respondent in the enquiry has been withdrawn, the Enquiry Officer has passed orders on 14-2-2004. The Enquiry Officer has passed domestic enquiry chargesheet dated 14-2-2002 and order dated 14-2-2004 holding the Petitioner guilty and dismissed him. The chargesheet is filed for arguments under 4-2-2002.

7. On the date of enquiry, the Petitioner was absent. I myself have gone through the evidence made by the parties and documents submitted by the Respondent relating to the departmental proceedings. The Learned Counsel for the Petitioner has contended before this tribunal that he assailed the enquiry report. The Enquiry Officer because it is based on no evidence. He has not challenged the action of the Enquiry Officer proceedings on any other ground but for the finding is based on no evidence. Petitioner contended before this tribunal that he submitted before the Enquiry Officer that he met with an accident during the course of his employment. He remained on sick leave from 19-2-2002 to 9-3-2002 and on the basis of that accident he was not attend to his duties on several dates in the month of April, May, June, July and August and September. In fact he was present on 14/3, 21/3, 22/3, 31/3, 18.4, 25.4, 26/6, and 26/9 of the year 2002. I have considered the argument submitted by the Petitioner and found that a copy of his application dated 26-2-2004 was submitted to the office department and was rejected. The report from the concerned hospital who has certified that Petitioner M. Ravi Babu was under the treatment in the hospital from 19-2-2002 to 9-3-2002 due to the injury in the left foot while carrying loaded basket which was fell on his foot. I have gone through the proceeding book of domestic enquiry which runs five pages. The enquiry proceedings shows that though the Petitioner received a charge sheet No. I K. IA/2002/R08/3319 dated 11-12-2002 and had understood its contents, but he has not filed any written explanation against the said chargesheet. He has given categorical statement before the Enquiry Officer that

he has not filed any explanation and he pleaded guilty of the charges. Management has produced Mr. I.C.S. Rao, O.S. of I.K.I.A incline who has stated that Sri N. Ravi Babu is habitual absentee. He has put in only 79 musters during the year 2002 and 187 musters during the year 2003. He has further stated that Petitioner remained absent without any intimation in the year 2002 without obtaining any leave and without any prior intimation. He has further stated that Petitioner has not submitted any written explanation for his action of remaining absent without any leave and leave amounts to misconduct under clause 25.25 of the company's standing order. This witness was not cross examined by the Petitioner. Though the witness was examined in the presence of Petitioner Sri N. Ravi Babu. The proceeding Book further proves that apart from Mr. I.C.S. Rao, Sri K. V.L. Charyulu, Paysheet clerk was also produced by the management who has also deposed that Petitioner is a regular absentee and Petitioner is irregular in attendance. Petitioner remained absent from work frequently without leave or prior intimation in the year 2002. That Petitioner has not intimated the reason if any for his unauthorised absence. Sri K. V.L. Charyulu has given categorical statement regarding the absence of Petitioner during year 2002, month and date wise which has been reproduced in his oral statement which has not been challenged by the Petitioner. Though it was recorded in his presence but Petitioner has not asked any question nor he has put in any suggestion before the paysheet clerk that he has given information to the Respondent management regarding his sickness. However, the Petitioner has stated during the course of his statement that he remained absent due to accident which lead to the injury in his left leg. This left leg injury troubled him most of the time. This statement was recorded on 4-7-2003 and he stated that he is still suffering from back pain and for all these reasons and problems he took private treatment at Vijayawada. He has stated that he agree that he has committed mistake for the year 2002 and 2003 and he may be excused. During cross examination he has stated before the Enquiry Officer that due to ignorance and innocence he has not reported his sickness in the company's hospital and to his superiors. There is no other evidence before the Enquiry Officer produced from side of the Petitioner. The documents produced along with the claim statement that is application dated 24-2-2002 and the report of the hospital from where receipt of his treatment was not produced before the Enquiry Officer. Even if it is presumed and taken to be proved that the Petitioner remained absent from 19-2-2002 to 9-3-2002 due to the injury sustained by him during the course of his employment that injury has not been proved to be grave injury which could restrain the Petitioner from attending duty beyond the period from March, 2002. More over, this piece of evidence was not produced before the Enquiry Officer. Though it was stated in the statement of the Petitioner and it has been considered by the Enquiry Officer in his report dated

18-7-2003 and he has given the detailed reasons for the conclusion arrived at by him. He opined that the oral and documentary evidence adduced in enquiry corroborated the fact that Petitioner remained absent unauthorizedly and without any intimation over a period of one year habitually during the year 2002. The worker has not contested the charges nor has contradicted oral and documentary evidence adduced during the enquiry. On the other end he has pleaded guilty of the charges and thus, Enquiry Officer has arrived at the conclusion that the charges against the Petitioner is proved and the Petitioner is guilty of the misconduct under clause 25.25 of the company's standing order as such, the Respondent is constrained to dismiss the Petitioner for unauthorized absence w.e.f. 14-2-2004 vide order dated 28-1-2004.

8. This tribunal has to consider the following points:

(1) Whether the absence of Petitioner during the year 2002 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?

(2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?

**9. Point No. 1 :** The Petitioner has submitted that he met with an accident during the year 2002 due to which he remained absent and put in 76 musters during the year 2002. His statement was recorded by the Enquiry Officer and during the course of the enquiry he stated that he worked for 76 days and remained absent for the rest of days in the year 2002, but has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. As against this, the management has produced Sri I.C.S Rao, OS, I.K.I.A Incline and Sri K.V. L. Charyulu, Paysheet clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 2002 from January to December except for 79 days of his attendance. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was unable to prove that his absence during the year 2002 was due to sufficient reason. Though he stated that he was absent due to accident in the month of February, 2002 he sustained injury in left leg which troubled him through out the year, he is not able to provide any evidence or proof in support of his ailment. Even if it is presumed that Petitioner remained absent due to the ill-health why he did not informed his superiors regarding his illness has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 2002 and putting only 79 musters in the year 2002 was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 2002, his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No.1 is decided accordingly.

10. **Point No. 2 :** So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 2002, he has voluntarily admitted before the Enquiry Officer that he remained absent during 2002 and could attend only 79 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 2000 and 2001 also which was not mentioned in the charge sheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 2002 for 200 days during the entire year 2002 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Petitioner has contended that his family is starving due to dismissal of the Petitioner. Against which Respondent contended that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

11. I agree with the contention of the Respondent management and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.

12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 5th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner	Witnesses examined for the Respondent
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NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 18 नवम्बर, 2010

का.आ. 3033.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 113/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-22013/1/2010-आई आर (सी-11)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

S.O. 3033.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 113/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to the Management of SCCL and their workman, which was received by the Central Government on 18-10-2010.

[No. L-22013/1/2010-IR (C-II)]

D. S.S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present :- Shri Ved Prakash Gaur, Presiding Officer

Dated the 5th day of October, 2010

Industrial Dispute L. C. No. 113/2007

BETWEEN :

Sri Ungu Tirupathi,  
S/o Ramaiah,  
C/o Smt. A. Sarojana Advocate,  
Flat No. G 7, Ground Floor, Rajeshwari  
Gayatri Sadan, Opp. Badruka Jr. College  
For Girls, Kachiguda,  
Hyderabad

Petitioner

AND

1. The General Manager,  
M/s. Singareni Collieries Company Ltd.,  
Mandamarri Area, Mandamarri.  
Adilabad District.
2. The Superintendent of Mines,  
M/s. Singareni Collieries Company Ltd.,  
KK-5 Incline, Mandamarri Area, Mandamarri.  
Adilabad District.

Respondent

**APPEARANCES :**

For the Petitioner : M/s. A. Sarojana &  
K. Vasudeva Reddy, Advocate  
For the Respondent : M/s. P.A. A. V. V. S Sarma &  
Vijayalaxmi Panguluri,  
Advocates

**AWARD**

Sri Ungu Tirupathi, ex-worker of M/s. Singareni Collieries Company Ltd., challenged the order of his dismissal dated 2-1-2004 and to reinstate him in the services with full back wages through his claim petition filed under Sec. 2A (2) of the I. D. Act, 1947 in light of the judgement of the Hon'ble High Court of Andhra Pradesh reported in W. P. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. It has been alleged by the Petitioner that he was appointed as badli filler on 16-6-2000 on compassionate grounds. However, during the year 2001 Petitioner himself suffered with illness and other family problems due to which he could not attend regular duties and could put only 35 days during the year 2001. Charge sheet dated 13-2-2002 was issued to him alleging that Petitioner has committed misconduct under Company's Standing Order 25.25 and he was asked to submit his explanation. The Petitioner has submitted his reply to the charges and pleaded his inability to perform duties on account of his own health problems and family problems. He further assured that he will attend duty. Unfortunately without considering any of the above submissions, Petitioner was dismissed w.e.f. 28-1-2004 vide office order dated 2-1-2004 in a illegal, arbitrary manner violating principles of natural justice. The enquiry was conducted in a routine and mechanical manner with pre-determined intentions. It was a mere formality which resulted in the issuance of impugned dismissal order. The Disciplinary Authority failed to apply his mind while issuing the dismissal order dated 2-1-2004. The witness who deposed against the Petitioner has no personal knowledge of the charges against the Petitioner. The Enquiry Officer has not considered the submissions made by the Petitioner nor he has considered the medical fitness produced by the Petitioner during the course of enquiry which remained un-rebutted. As such it deserves to be set aside and Petitioner be reinstated with full back wages.

3. Respondent has filed counter statement. The Respondent has alleged that Petitioner's allegation that enquiry was lopsided or it was conducted with a pre-determined notion is incorrect. Petitioner has not put in sufficient musters, his contention that he was absent on account of ill-health and family problems is put to strict proof. Respondent has not committed any mistake in dismissing the services of the Petitioner because the performance of the Petitioner was not satisfactory. It was effecting the production of the company. The procedure

of enquiry was explained to the Petitioner and he has put in his signature on each page of the proceeding. It proves that enquiry proceeding was conducted in a free and fair manner. Petitioner has not availed the assistance of defence assistant himself. Witnesses produced by the management and their statement was explained in Telugu language to the Petitioner. Petitioner has accepted his guilt. Petitioner has kept quite for three and half years after dismissal. Hence, the Petition suffers from delay and laches. Petitioner had put in 35 musters only during 2001. After issuance of charge sheet dated 11/13-2-2002 he submitted his explanation to the charges dated 26-4-2002 explaining his inability to attend his duties due to ill-health and he realized his mistake assuring improvement in his attendance in future. But after charge sheet also he has put in only 15 musters in the year 2002 and 2 musters in 2003. He did not improve his musters.

4. Petitioner has not been able to prove the plea raised by him during course of enquiry with any valid documentary evidence and the conclusion of the Enquiry Officer is based on evidence. It is not a result of predetermined notion or non- application of the mind. Respondent No. 1 being the General Manager of the Area is empowered to impose penalty including dismissal on proved charges against NCWA employees upto Grade-C, as Petitioner is NCWA employee, Respondent No.1 is empowered to issue dismissal order and requires no approval of higher authorities before issuing dismissal order. Petition deserves to be dismissed.

5. It is pertinent to mention here that though the proceeding taken before the Enquiry Officer was challenged by the workman through his claim petition, but on 9-3-2009 Petitioner's counsel filed memo before this tribunal conceding the legality and validity of the domestic enquiry, thus, the domestic enquiry has been held to be legal and valid.

6. It has been argued by the Learned Counsel for the Petitioner that though Petitioner has conceded to the legality and validity of the domestic enquiry, but he has every right to challenge the findings of the Enquiry Officer, during the course of arguments under Sec.II A of the Industrial Disputes Act, 1947. In the present case the Petitioner's absence is not challenged as Petitioner submitted before the Enquiry Officer that due to family problems and ill-health he remained absent and pleaded guilty assuring improvement in his attendance in future but it was not considered and he was dismissed from the services. Against this argument, Learned Counsel for the Respondent has argued that Enquiry Officer has considered all the material placed before him and his report is based on evidence produced before him. Petitioner has himself voluntarily admitted his mistake and assured during the course of enquiry that he will be regular in future and Enquiry Officer has given his finding regarding the evidence produced by the Petitioner. Thus, no fault can

be find in the enquiry report or proceeding.

7. It is undisputed that Petitioner remained absent under clause 25.25. The misconduct is habitual attendance or habitual absence from duty without sufficient cause. Absence from duty without sufficient cause is misconduct. It is admitted fact that the Petitioner has put in only 35 musters during the year 2001 for which a charge sheet dated 11/13-2-2002 was issued to the petitioner against which the Petitioner filed his explanation stating therein that he remained absent due to ill-health and family problems. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge.

8. The Learned Counsel for the Respondent has relied upon the case law reported in (1996)1 SCC page 302 between State of U.P. and others Vs. Ashok Kumar Singh and another, wherein the Apex Court held that having noticed the fact that the first Respondent has absented himself from duty without leave on several occasions were are unable to appreciate the observation that "his absence from duty would not amount to such a grave charge. Even other wise on the facts of the case there was no justification to the High Court to interfere with the punishment holding that the punishment does not commensurate with the gravity of the charge especially when the High Court concurred with the findings of the Tribunal on facts." and also relied upon several other similarly adjudicated cases.

In this case this tribunal has to consider :

(1) Whether the absence of Petitioner during the year 2001 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?

(2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?

9. **Point No. 1:** The Petitioner has submitted that he remained ill during the year 2001 due to which he remained absent and put in 35 musters during the year 2001. His statement was recorded by the Enquiry Officer and during the course of the enquiry he stated that "I accept that I remained absent on the dates mentioned in the charge sheet. It is a mistake on my part to remain absent like this. I accept the charge and plead guilty of the charge. I was absent due to ill-health. Now I am alright I assure to be careful and work regularly in future." Enquiry Officer has properly stated that the workman has explained that due to ill-health he could not attend the duty, but has not been able to provide any single document before the Enquiry Officer to substantiate absence. The management has produced Mr. P. S. S. Ranga Rao, Grade Clerk and Mr. L. Venkateswarlu, Paysheet Clerk to prove that Petitioner remained absent without any leave or without

any intimation during the year 2001 from January to December and attended only 35 days. Since absence of the Petitioner was admitted by the Petitioner himself was the sole duty of the Petitioner to prove his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 2001 was due to sufficient reason. Though he stated that he was absent due to ill-health but he was unable to provide any evidence or proof in support of his illness. Even if it is presumed that Petitioner remained absent due to ill-health why he did not inform his superiors regarding his illness has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence without leave was based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

10. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 2001 and had put in only 35 musters, his absence was without any reasonable or sufficient cause and I thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No.1 is decided accordingly.

11. **Point No. 2 :** So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 2001 he has voluntarily admitted before the Enquiry Officer that he remained absent during 2001 and could attend only 35 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 2001 also which was not mentioned in the charge sheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 2001 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was an unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

12. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view, to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No. 2 is decided accordingly.



13. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 5th day of October, 2010.

VED PRAKASH GAUR, Presiding Officer

#### Appendix of evidence

Witnesses examined for the Petitioner	Witnessess examined for the Respondent
NIL	NIL

#### Documents marked for the Petitioner

NIL

#### Documents marked for the Respondent

NIL

नई दिल्ली, 18 नवम्बर, 2010

**का.आ. 3034.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2 नई दिल्ली के पंचाट (संदर्भ संख्या 04/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-42012/190/2005-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

**S.O. 3034.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 04/2008) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the Industrial dispute between the management of Vigyan Bhawan Electrical Division, CPWD, and their workmen, received by the Central Government on 18-11-2010.

[No. L-42012/190/2005-IR(CM-II)]

D. S.S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT II, KARKARDOOMA,  
DELHI-110032**

In the court of Shri Satnam Singh, Presiding Officer

ID No. 4/2008

Dated the 28-10-2010

In the matter of dispute between :

Shri Vijay Pal Singh

As Represented by All India Central PWD (MRM)

Karamchhari Sangathan (Regs.),

House No. 4823, Gali No. 13, Balbir Nagar Extension,

Shahdara, Delhi-110032.

... Workman

#### Versus

The Executive Engineer (E)

Vigyan Bhawan Electrical Division,

CPWD, New Delhi.

... Management

#### AWARD

The Central Government, Ministry of Labour vide Order No. L-42012/190/2005-IR (C.M-II) dated 24-3-2008 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of CPWD in not giving benefit of ACP Scheme to Shri Vijay Pal Singh w.e.f. 09-08-1999 is legal and justified? If not, to what relief is the workman entitled?"

The statement of claim was filed by the workman through the Authorized Representative Shri Satish Kumar in May, 2008. The management filed written statement to the same. Thereafter, rejoinder was also filed by the workman. The case was thereafter fixed for framing of issues in this case. However, on 28-10-2010, the Authorized Representative of the workman has moved an application stating therein that the workman is not interested to pursue this case any more. He has also not been attending the case for the last five dates of hearing despite intimation given to him by his Authorized Representative. In the application, it has been prayed that the workman may be allowed to withdraw the case and a no dispute award may be passed in this case. In these circumstances, a no dispute award is passed in this case and the reference sent by the Central Government stands disposed of accordingly.

Dated 28-10-2010

SATNAM SINGH, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2010

**का.आ. 3035.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल ब्यूरो आफ प्लांट जेनेटीक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 132/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[सं. एल-42012/229/2002-आई आर (सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

**S.O. 3035.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 132/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the Industrial dispute between the management of National Bureau of Plant Genetics and their workmen, received by the Central Government on 18-11-2010.

[No. L-42012/229/2002-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

### ANNEXURE

**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,  
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/132/2003

Date: 01-11-2010

Petitioner/  
Party No. 1 : Shri Vijay Ramchandra Borkar,  
Jalanapur, Post & Tehsil Chandur  
Bazar, Dist. Amravati, Amravati

### Versus

Respondent/  
Party No. 2 : The Scientist Incharge,  
National Bureau of Plant Genetics  
Resources, Satellite Centre,  
Amravati

### AWARD

(Dated : 1st November, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of National Bureau of Plant Genetic Research "NBPGR" in short) and their workman, Shri Vijay R. Border ("the workman" in short) for adjudication, as per letter No. L-42012/229/2002-IR (CM-II) dated 24-4-2003, with the following schedule :-

"Whether the action of the management of National Bureau of Plant Genetic Research, Satellite Centre, Amravati, through its Scientist Incharge in terminating the service of Sh. Vijay S/o Ramchandra Borkar who was working as Labour-cum-Chowkidar w.e.f. 1-10-1995 is legal and justified? If not, to what relief the workman is entitled to?"

2. On receipt of the reference, the parties were noticed to file the statement of claim and written statement respectively, in compliance of which, the workman filed his statement of claim and the management filed its written statement.

It is pleaded by the workman in his statement of claim that he was appointed as a labour-cum-chowkidar on 1-1-91 by NBPGR and prior to his appointment, NBPGR

called for the names of the candidates from the Employment Exchange, for filing the permanent and clear vacant posts and conducted interview and after his selection in the interview, he was appointed orally as a labour-cum-chowkidar on 21-1-91 on daily rated basis and since then, he started performing his duty as such and continued to work without break till 30-9-95 and during the said period, NBPGR was not paying his wages for one to two months in a year on record, even though the wage was being paid to him regularly, only to show technical and artificial break and initially he was getting Rs. 20 per day as his wages, which was subsequently increased from time to time and at the time of his termination, he was getting Rs. 59.60 per day and after termination of his service by the management of NBPGR on 1-10-1995, he approached the authority of NBPGR and requested for taking him back in service, but no heed was paid to his request, so he gave an application to the Assistant Labour Commissioner, Amravati, before whom, the management of NBPGR orally promised to provide work to him, so the matter was dropped by the Asstt. Labour Commissioner and on 2-1-99, when he went to join his duty, he was informed about his engagement and payment of wages would be made through a contractor and he requested to make payment as per the previous practice by signing the muster roll and on his request, the NBPGR stopped to provide him the work, therefore, he submitted an application to the Asstt. Labour Commissioner (C)—1, Nagpur in August, 98, but the ALC returned his application with a direction to move the State Government in the matter and thereafter, he have an approach notice on 23-8-99 to the authorities of NBPGR for taking him back in service with continuity of service and back wages, but as he did not get any reply, he approached the Asstt. Labour Commissioner, Amravati u/s 2-A of the Industrial Disputes Act and ultimately his application was referred to the Labour Court, Amravati and registered as I.D.A. case No. 3/2000 and 16-4-2002, the Court held the reference not to be legal, as the same was being referred by the State Government instead of the Central Government, who was the appropriate government and for that he approached the Asstt. Labour Commissioner, Nagpur for getting justice. It is also pleaded by the workman that the was in continuous service with NBPGR and had worked more than 240 days in a year proceeding the date of termination i.e. 1-10-2005, but the authority of NBPGR failed to issue one month notice or to pay one month wages in lieu thereof as provided u/s 25-F of the Industrial Disputes Act and also violated the provisions of Section 25-C of the Industrial Disputes Act by retaining the juniors, namely Nana Gajbhiye, Surendra Pochpar, Chavan, Gowardhan Gharade and others in service and also violated Section 25-H by appointing new employees after terminating his service and the authority also did not publish the seniority list of the employees as per the provisions of Rule 81 of the Bombay Industrial Dispute Rules and as in spite of his attempts, NBPGR did not provide him any work, again he approached the Asstt.



Labour Commissioner, Nagpur for redress and lastly, the matter was referred to the Tribunal. The workman has prayed for his reinstatement in service with continuity in service and full wages.

The management of NBPGR in the written statement has raised legal objection regarding the maintainability of the reference on the ground that NBPGR is not an industry and therefore, the Industrial Disputes Act is not applicable. It is also pleaded by the management that the workman was never appointed as a labour-cum-observer by way of conducting any interview but he worked as daily paid labourer for the periods as per the informations furnished in Annexure-1 and the wages was being paid to him as per the Central Government rules and amendments circulated from time to time and it is false to say that he worked continuously without any break till 30-9-95 and the workman had never completed 240 days of work in any calendar year and as such, there was no violation of Section 25-F of I.D. Act and Government of India adopted to implement the work contract system in 1996 and Suresh Pachpar and Chavan were working through the contractor and Gowardhan Ghorade and Nana Gajbhiye never worked even through contractors appointed by the NBPGR and the works through DPL working directly by the Government departments was stopped w.e.f. 16-1-2000 and as such there was no violation of Sections 25-H of I.D. Act and as no daily paid labour completed 240 or 180 days in any calendar year till the contractual work system was implemented w.e.f. 16-1-2000, the provision of rule 81 of Bombay Industrial Disputes Rules is not applicable.

4. In view of the objection raised by the management that NBPGR is not an industry as defined under Section 2(j) of the Act. I think it proper to deal with said objection at first, before entering into the merit of the case.

At the time of argument, it was submitted by the learned advocate for the management that NBPGR was established by the Indian Council of Agricultural Research in the year 1976 with its main campus at Delhi with the mandate to plan, conduct, promote and co-ordinate all activities concerning plant exploration and collection, safe conservation and distribution of both indigenous and exotic plant genetic resources in crop plants and their wild relatives and it is predominantly involved in maintaining research work and preserving the genetic variability of plants and therefore NBPGR is not an industry and as such the provisions of Industrial Disputes Act are not applicable to it and consequently this Tribunal has no jurisdiction to adjudicate the reference. In support of this contention, reliance is placed on the decisions reported in 1997 1 CLR - 1116 (Physical Research Laboratory Vr K. G. Sharma) and AIR 1997 S.C. 2663 (Executive Engineer (State of Karnataka) V. K. Somasetty).

On the other hand, the learned advocate for the workman submitted that the management did not take such a stand at the time of filing of the written statement or

earlier to that before the Asstt. Labour Commissioner and introduced such a plea by way of amendment of the written statement and as such, the said plea should not be taken into consideration. It was also submitted that NBPGR is an industry as it produces new seeds and distributes and sells the same.

5. So far the first part of the contention raised by the learned advocate for the workman regarding the plea of the management that it is not an industry should not be taken into consideration as the same was introduced by way of amendment of the written statement is devoid of merit and is rejected, as because once a plea is included in the pleadings even by way of amendment, the same is to be considered on merit.

6. So far the other question as to whether NBPGR is an industry or not is concerned, I think it apropos to mention the principles enunciated by the Hon'ble Apex Court in the decision reported in 1997 1 CLR-1116 (supra). The Hon'ble Apex Court have held that:-

"Therefore, the question whether PRL is an 'Industry' under the I. D. Act will have to be decided by applying the above principles; but at the same time, it has to be kept in mind that these principles were formulated as this Court found the definition of the word "industry" as vague and "rather-clumsy, vapourous and tall and dwarf". Therefore, while interpreting the words "undertaking", "calling" and service" which are of much wider import, the principle of "noscitur a sociis" was applied and it was held that they would be "industry" only if they are found to be analogous to trade or business. Furthermore, an activity taken by the Government cannot be regarded as "industry" if it is done in discharge of its sovereign functions. One more aspect to be kept in mind is that the aforesaid principles are not exhaustive either as regards what can be said to be sovereign functions or as regards the other aspects dealt with by the Court.

The material discloses that the object with which the research activity is under taken by RPL is to obtain knowledge for the benefit of the Department of Space. Its object is not to render services to others nor in fact it does so except in an indirect manner".

It is found from the above stated judgement that the Hon'ble Apex Court have held that "industry" as defined in Section (j) has a wide import and absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint, private or other sector and the true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer - employee relations and if the organization is a trade or business, it does not cease to be one because of philanthropy animating the undertaking.

Applying the tests as prescribed by the Hon'ble Apex Court to the present case at hand, it is found that the NBPGR is an industry, because it is found from the evidence of the witness examined on behalf of the management that NBPGR is collecting germ-plasm, conserving and supplying the samples to different government organizations and agricultural universities, though it was not selling the seeds or the same is not a commercial institution. It is clear that NBPGR is rendering service to others directly. Hence, I find no force in the submission made by the learned advocate for the management on that score.

7. So far the merit of the case is concerned, the workman as claimed that he was appointed against permanent and clear vacancy as a labour-cum-chowkidar after being selected. In the interview conducted for the same and he worked continuously from 21-1-91 to 30-9-95 and the management of NBPGR terminated his service on 1-10-95 and he had worked 240 days on each calendar year, still then, the provisions of Sections 25-F, 25-C and 25-H were not complied with and the list of seniority was not published by the management, which have been denied by the management.

During argument, the learned advocate for the workman reiterated the said contentions and relied on the decision reported in AIR 1986 S.C. - 132 (H. D. Singh Vs Reserved Bank of India).

Section 25-B of the I. D. Act provides the definition of continuous service which provides that, "a workman shall be said to be in continuous service for a period, if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorized leave or on accident or as strike which is not illegal or a lock-out or a cessation of work, which is not due to any fault on the part of the workman, (2) where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer—

(a) for a period of one year, if the workman, during a period of twelve calendar months, proceeding the date with reference to which calculation is to be made, has actually worked under the employer for not less than

(i) one hundred and ninety days in the case of a workman employed below ground in a mine, and

(ii) two hundred and forty days in any other case;

Section 25-F of I.D. Act deals with conditions precedent to retrenchment of workman and it provides that, "no workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until,

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of notice.

(b) .....

(c) .....

It is clear from the said provisions that for application of the provisions of Section 25-F, it is necessary for the workman to be in continuous service of one year i.e. 240 days in one calendar year. In the decision on which reliance has been placed by the learned advocate for the workman also, the Hon'ble Apex Court have held that for application of Section 25-F of the Act, working for 240 days in the preceding 12 months is required by stating as follows:

"where the name of a Tikka Mazdoor in the Reserve Bank, person who helps the Examiners of coins notes, who claimed to have put in service of more than 240 days in the preceding 12 months was struck off from the rolls after his passing matriculation examination, the act would amount to termination of service which in turn was retrenchment and would be invalid for non-observance of requirements of Section.

In the present case at hand, the workman has not produced any scrap of paper to show that the NBPGR called for the names of the candidates from the employment exchange for selection of labour-cum-chowkidar and he appeared in the interview and was selected to be posted as labour-cum-chowkidar. He has not filed any document to show even that his name was registered in any employment exchange. It is also clear from his own evidence and documents Ext. W-I and Ext. M-I to M-III that his claim about working continuously with NBPGR from 21-1-91 to 30-9-95 is not true as he had never worked for 240 days in any calendar year from 91 to 95. As the workman did not work for 240 days in any calendar year from 91 to 95, the provisions of Section 25-F, or 25-C or 25-H is not applicable in this case. It is also clear from the materials on record that the workman worked as a daily rated worker and he was being engaged by NBPGR from 91 to 95 and in '99, whenever there was any work and he was never appointed continuously or as a regular worker and when there was no work, the system of engagement of daily rated worker was stopped and he was not engaged by the NBPGR any more after 99. Hence, I find no merit in the reference and it is ordered :-

### ORDER

The action of the management of NBPGR, Amravati, through its Scientist In-charge in terminating the service of Shri Vijay S/o Ramchandra Borkar who was working as labour-cum-chowkidar w.e.f. 1-10-95 is legal and justified and the workman is not entitled to any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली 18 नवम्बर, 2010

[illegible][illegible]

डिप्टी कमिश्नर, डेस्क अधिकारी

New Delhi, 10 November 2010

**S.O. 3036.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 70/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the Industrial dispute between the Management of M/s. Western Coalfields Limited, and their workmen, received by the Central Government on 18-11-2010.

[No. L-22012/382/2004-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

## ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,  
NAGPUR**

**Industrial Dispute No. 70/2005**

The General Secretary,  
National Colliery Mazdoor Congress,  
Dr. Ambedkar Nagar, Post Ballarpur,  
Chandrapur

## Versus

The Sub Area Manager,  
Ballarpur Area of M/s Western  
Coalfields Limited,  
Post Ballarpur,  
Chandrapur

Respondent/2nd Party

## AWARD

(Dated : 8th November, 2010)

This is a reference made by the Central Government in exercise of the power conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947) for adjudication of the Industrial dispute between the Western Coalfields Limited, the employer and their workman, Shri Nilkanth Ramteke, as per letter No. L-22012/382/2004/IR(CM-II) dated 18-8-2005 with the following schedule.

“Whether the action of the management in relation to Ballarpur Area of W.C.L. in not promoting Sh. Nilkanth

Ramteke, Driver-cum-Mechanic, T&S Grade-C (SLU) as Asstt. Supervisor (Transportation) T&S Gr. C is accordance with relevant norms of promotion? and

“Whether the transferring Sh. Nilkanth Ramteke, Driver-cum-Mechanic, T&S Grade-C from Ballarpur O/C Mine to Gouri O/C Mine vide office order No. WCL/CGM/PER/3895 dated 08-8-2004 is legal and justified? If not, to what relief the concerned workman is entitled?”

2. The workman is present. Advocate for both the parties are present. The workman files a pursis being signed by him, his advocate and the General Secretary of Rashtriya Colliery Mazdoor Congress intimating that both the parties have arrived at a settlement mutually and as such, a consent award be passed.

3. The workman also files the xerox copy of the settlement signed by the parties. Advocates for the parties (both workman and the management) have also made endorsement that they have no objection in passing an award in terms of the mutual settlement arrived at between the parties. In view of the pursis and the submissions made by the advocates for the parties and the workman himself, the reference is disposed of in terms of the settlement arrived at by the parties. This may be treated as a consent award in terms of the settlement arrived at by the parties. Copy of the settlement be made a part of the award.

J. P. CHAND, Presiding Officer

**BEFORE THE HON'BLE PRESIDING OFFICER CGIT-  
CUM-LABOUR COURT NAGPUR**

**Case No. CGIT :NGP/70/2005**

**Empolyers in relation to the Sub Area Manager, Ballarpur  
Sub Area/Area WCL, PO-Ballarpur**

Vs.

(Nilkanth Narayan Ramteke)

Their workmen represented by Shri Lomesh Maroti Khartad, General Secretary, Rashtriya Colliery Mazdoor Congress (RCMC), Dr. Ambedkar Ward, Po-Ballarpur, Distt. Chandrapur.

Vs.

Pursis

In the above mentioned Industrial Dispute pending before this Tribunal for Adjudication the parties to the above dispute jointly submit that both the parties have arrived at a settlement mutually and copies of the same are placed below and both parties will abide by the terms of the said settlement.

In view of the amicable settlement arrived between the parties in which the workman is also signatory to the settlement both the parties jointly pray that a consent award may kindly be passed accordingly.

## PRAYER

It is therefore most respectfully prayed that the hon'ble presiding officer may kindly be pleased to pass an award in terms to the amicable mutual settlement arrived between the parties. Hence this pursis.

(Nilkanth Narayan Ramteke)

Driver-Cum-Mech

Ballarpur Opencast Mine

PO. Ballarpur, Teh. Ballarpur,

Distt, Chandrapur

(Lomesh Maroti Khartad)

General Secretary

Rashtriya Colliery Mazdoor

Congress (RCMC)

Dr. Ambadkar Ward,

PO Ballarpur, Distt Chandrapur

(K. D. Prasad)

SAM/BSA, BA

PO/Teh. Ballarpur, Distt. Chandrapur

Dated 8-11-10

Western Coalfields Limited

Office of the Chief General Manager

Ballarpur Area PO : Sasti

Ref. No. WCL/BACGM/PER/3778 Dated 14-10-2010

FORM-H

(See Rule-58)

Memorandum of Settlement arrived at between the Management of WCL, Ballarpur Area and the Workman on. ....

## PARTIES

## Management Representatives

1. Shri R.K. Raut, Dy GM(Per.)  
Area Personnel Manager, WCL,  
Ballarpur Area
2. Shri C.V.S. Ramanujam,  
Manager (Per.), IR, WCL,  
Ballarpur Area

3. Shri K.V. Binaje Kumar,  
Manager(Per./Admin.) BA

## Workman/Workmen Representative

1. Shri Lomesh Khartad  
General Secretary, RCMC,
2. Shri Nilkanth N. Ramteke,  
Driver-cum-Mech. T&S Gr. C(Slu)

## SHORT RECITAL OF THE CASE

1. Shri Nilkanth Ramteke, presently designated as Driver-cum-Mechanic T&S Gr. C(Slu) raised and Industrial Dispute whose terms of reference is as follows,

"Whether the action of the Management in relation to Ballarpur Area of WCL in not promoting Shri Nilkanth Ramteke, Driver-cum-Mechanic T&S Gr. C(Slu) as Asstt. Supervisor (Transport) T&S Gr. C is in accordance with the referred norms of promotion? And Whether the transferring Shri Nilkanth Ramteke, Driver-cum-Mechanic T&S Gr. C from Ballarpur OC Mine to Gouri OC Mine vide office order No. WCL/CGM/PER/3895 dtd 08-08-2004 is legal and justified? If not, to what relief the concerned workman is entitled".

2. The Case is presently being heard before Hon. Presiding Officer, CGIT, Nagpur vide case No. NGP/70/2005. The Next date of hearing is to be held on 08-11-2010.

3. While the matter is pending before the Hon'ble Tribunal the parties have mutually negotiated for arriving at an amicable settlement of the dispute. As a result of this negotiation the parties have arrived at the following terms of agreement:—

## Terms of the settlement are as under :

1. That the workman Shri Nilkanth Narayan Ramteke has already been transferred back to Ballarpur Sub Area from Gouri Sub Area vide order No. WCL/BA/CGM/PER/1378 dated 02-08-2008 and he has already joined at Ballarpur Sub on 11-08-2008. The matter therefore stands settled.

2. It is mutually agreed that, Shri Nilkanth Narayan Ramteke, presently designated as Driver-cum-Mechanic T&S Gr.C(Slu) will be promoted to the Post of Asst. supervisor (Transportation) T&S Gr.C w.e.f. 14-10-2010 on submission of the settlement before the Hon. CGIT-cum-Labour Court, Nagpur.

3. It is mutually agreed that, there will be no demand for Promotion whatsoever from the date of dispute pending before CGIT or from any date.

4. It is also mutually agreed that, no back wages or any consequential benefit will be given to Shri Nilkanth Narayan Ramteke consequent to the above settlement.

5. It is mutually agreed that this is full and final settlement of the above dispute and is considered equally beneficial to both the parties.

6. Shri Nilkanth Narayan Ramteke will not raise any dispute what so ever before any statutory Forum/Court of Law/Quasi Machinery/Non-Statutory Forum in this matter either by himself or through any trade Unions.

7. This Agreement will be binding upon the Workman as well as the Union and is treated as full and final.

8. It is mutually agreed that Shri Nilkanth Narayan Ramteke or his Counsel/Trade Union will not treat this case as precedence in any other case in future.

9. It is also agreed that Shri Nilkanth Narayan Ramteke and the Union and the Management will jointly file this

१. प्रमाणित प्रतिलिपि १०/११/२०१०

प्रमाणित प्रतिलिपि १०/११/२०१० और उसके समकालीन प्रमाणित प्रतिलिपि १०/११/२०१० के माध्यम से केंद्रीय सरकार औद्योगिक विवादों के निपटारे के लिए (सी. आई. एन. ३६/१९९१) को प्रकाशित किया है।

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

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प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१) के माध्यम से केंद्रीय सरकार औद्योगिक विवादों के निपटारे के लिए (सी. आई. एन. ३६/१९९१) को प्रकाशित किया है।

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१) के माध्यम से केंद्रीय सरकार औद्योगिक विवादों के निपटारे के लिए (सी. आई. एन. ३६/१९९१) को प्रकाशित किया है।

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१) के माध्यम से केंद्रीय सरकार औद्योगिक विवादों के निपटारे के लिए (सी. आई. एन. ३६/१९९१) को प्रकाशित किया है।

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

प्रमाणित प्रतिलिपि १०/११/२०१०-आई.टी. (सी. आई. एन. ३६/१९९१)

(Dated : 8th November, 2010)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947), the Central Government has referred the industrial dispute between the employers in relation to the management of the Food Corporation of India ("FCI" in short) through Zonal Manager (West), Bombay, Sr. Manager, Bombay and District Manager, Nagpur and their employees, Smt. V.M. Choudhuri and Shri S. Ramesh ("workmen" in short) for adjudication to the Central Government Industrial Tribunal, Jabalpur, as per letter No. L-22012/482/95-IR(C-II) dated 21-8-1996, with the following schedule :-

"Whether the action of the management of Food Corporation of India, through Zonal Manager (West),

उपक्षेत्रीय प्रबन्धक  
बल्लारपुर उपक्षेत्र

नई दिल्ली, 18 नवम्बर, 2010

क्र.आ. 3037.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के

Bombay, Sr. Regional Manager, Bombay and District Manager, Nagpur in interpolating the seniority of Sh. S. Duttagupta, Smt. Madhu Saini, Sh. B. B. Naidu, Sh. S. N. Tiwari, AG II (Ministerial) over Sh. S. Ramesh and Smt. V. M. Choudhury AG II (M) in the seniority list of AG II (M) as on 31-12-92, circulated by Zonal Office (West) FCI, Bombay vide circular No. Estt./5(13)/93 dated 14-7-93 is justified and proper? If not to what relief the two affected employee i.e. Smt. V.M. Choudhury and Shri S. Ramesh AG II (M) are entitled and what directions are necessary in the matter?"

Subsequently the case was transferred to this Tribunal for adjudication of the dispute.

2. On receipt of the reference, the parties were noticed with direction to file their respective statement of claim and written statement, in response to which the workmen file their statement of claim and the management of FCI filed the written statement.

The claim of the workmen as per their statement of claim is that they were appointed in the FCI during the month of June, 1972 in ministerial cadre and their seniority was accordingly fixed in the seniority list of Assistant Grade-III (Ministerial) and the management decided to fill up vacancies in the cadre of Assistant Grade-III (Ministerial) in M.F. Region by considering option from the Assistant Grade-III (Godown), who were graduates for appointment to the post of Assistant Grade-III (Ministerial) and in their circular dated 5-4-72, called for option of the interested Grade-III (Godown) employees. In the circular, various conditions were laid down by the FCI including the conditions that they will have to forego their lien on their posts of godown cadre and they will rank below the Assistant Grade-III in the ministerial cadre for purpose of seniority and promotion and the management vide office order No. A/25(13)/72 dated 30-11-72 re-designated twenty three employees including S. Duttagupta, B.S. Naidu, S.N. Tiwari and Miss Madhu Saini, who were as working Assistant Grade-III (Godown) as Assistant Grade-III (Ministerial), subject to the terms and conditions that they will have no lien in their post of godown cadre, that they rank below all the Assistant Grade-III (Ministerial) in the ministerial cadre for purpose of seniority and promotion, that the service rendered by them in the cadre of godown clerk will, however, count for purpose of fixation of pay, pension etc. and the options exercised by them for redesignation as Assistant Grade-III in the ministerial cadre are final and they will not be allowed to withdraw their options and accordingly, the seniority of all the said 23 employees was fixed in the post of Assistant Grade-III (Ministerial) from 30-11-72.

The further case of the workmen is that management used to publish the seniority list of all the employees in different cadres once in every two years and the names of

all the twenty three redesignated employees were listed junior to both of them in the seniority list of Assistant Grade-III (Ministerial) published during 1974-1975 and 1976 and by virtue of their seniority position, they were promoted to the post of Assistant Grade-II (Ministerial) in 1976 and 1978 respectively and consequently the decision of the Hon'ble Supreme Court dated 14-8-83 regarding the 30th and 43rd Amendment to the FCI (Staff) Regulations is unconstitutional, the promotion of workman Sh. S. Ramesh as Assistant Grade-II was later on revised to Smt. V.M. Choudhury date 30-9-76 alongwith that of Smt. V.M. Choudhury and the twenty three redesignated Assistant Grade-II (Ministerial) got their promotion to the post of Assistant Grade-II (Ministerial) only during 1979 which obviously proves the truth that the redesignated employees were junior to juniors to the workmen and in the seniority list of Assistant Grade-II (Ministerial) for the year 1980-1981, 1981-1982, 1982-1983 and 1988 all of them were shown as juniors to the two workmen and there is a provision in the FCI regulations that stagnation increment to an employee in case of acquisition of eight years of continuous service in a particular post and the workmen were granted such increment on completion of eight years of continuous service in the post of Assistant Grade-II (Ministerial) but the redesignated employees were granted such increment much later than the workmen but in the seniority list of Assistant Grade-II (Ministerial) the name of one of the redesignated employee i.e. Sh. S. Duttagupta, who was junior to the workmen, was conspicuously placed above their names and the management had not circulated the revision of seniority of Shri Duttagupta amongst other employees of the cadre when all other redesignated employees were placed junior to them (workmen) and in the seniority list of Assistant Grade-II (Ministerial) circulated by the Zonal Manager (West), Mumbai showing position of 31-12-92 vide notice No. Estt./5(13)/93 dated 14-7-93, none of the five redesignated employees including Sh. S. Duttagupta, Smt. Madhu Saini, Sh. B. B. Naidu, Sh. S. N. Tiwari and Miss Madhu Saini, who were redesignated from Khare and Shri S.N. Tiwari were placed below their names though interestingly the names of all other redesignated employees were placed below them and the management did not circulate the revision order of the seniority of the four redesignated employees among other Assistant Grade-II (Ministerial) employees and being given seniority in the seniority list of Assistant Grade-II (Ministerial) on 31-12-92. The workmen represented before the Zonal Manager vide representation dated 25-8-93 and there was their intention in revision of the seniority and the same is improper, illegal and the representation of the workmen was turned down by the Zonal Manager vide his order dated 25-11-93, on the ground that "the cases of the four officials were examined by this office and it was decided to fix their seniority from the last date of option 30-4-72 and not from the date of exercising the option. Accordingly, the seniority of four officials from whom the representation for re-fixation of seniority were received was revised from



the last date of option to be exercised i.e. 30-4-1972", and the ten re-designated employees were given Selection Grade as AG-III (Ministerial) supervising them, which is unjustified, and the management is responsible for the illegal placement of the ten re-designated employees. There has been a huge monetary loss to the Corporation and the ten employees have prayed for restoration of their seniority by placing their names above the redesignated employees and grant of selection grade and promotion to the post of Assistant Grade-I (Ministerial) from the date, the ten re-designated employees were given the selection grade as AG-III (Ministerial).

The management in its written statement has not denied the plea made by the workmen from Paras 2 to 8 made in the statement of Shri S. Duttagupta. He specifically pleaded that the ten redesignated officials were shown as juniors to the workmen in the seniority list of Assistant Grade-II (Ministerial) upto 1988 but subsequently on receipt of representation from them, same were examined and it was decided to fix their seniority from the last date of option 30-4-72 which was exercised by them to switch over from Depot to Ministerial cadre and the circumstances under which the seniority of ten employees revised had been explained in the letter dated 25-11-93 and though as per the policy of management of FCI, while formation of new cadre options are being invited from the employees working in other cadres and they are to be placed as junior-most in the cadre and in the case of these ten employees, they had exercised the option from Depot cadre to Ministerial cadre and their cases were finalized on 30-11-72 by SRM (MP) vide his office order No. A/25(13)/72 dated 30-11-72 and their seniority was fixed from the date of issue of the said order, but since all the ten officials were appointed in FCI in 1971 and 1972 as AG-III(D) and exercised their option for ministerial cadre in April, 1972, but the options were finalized in November, 72, the employees who were appointed between May, 1972 to November, 1972 including the workmen, who were appointees of 8-6-72 and 19-6-72 respectively were shown above those ten employees, therefore they submitted their representation for injustice caused to them by placing them below the appointees of May, 72 to November, 72, even though they (workmen) were junior in the entry in the service of FCI as well as in the post of AG-III (M) and as per H.Q. letter dated 19-7-93, that "the godown clerks had exercise the option to come over to the Ministerial side in the terms of Office Circular No. 9/137/68/A1 dated 21-3-69 in April/June, 1969 and it is unfortunate that the actual orders of transfer could be issued in December, 1971 and February, 1972 only. The delay is administrative for which the individuals cannot be made to suffer. We have therefore, no objection to the fixation of their seniority as A.G.III (M) w.e.f. the date of their option and on the same analogy, the cases of these ten employees were finalized and their seniority was fixed w.e.f. 30-4-72, which was the last date of exercising the option" and the seniority of the workmen was subsequently revised consequent on Hon'ble Supreme Court's order dated

14-8-98 declaring 30th and 43rd amendment to the F.C.I. (staff) Regulations, 1971 is unconstitutional and void and since those ten employees were also effected due to the orders of the Hon'ble Supreme Court and they were senior to the workmen, their seniority was also revised and their names were shown above the workmen in the seniority list and since the selection grade is being granted to each employees of the Corporation on completion of 12 years in particular post and all the ten officials have completed 12 years, their cases for selection grade were considered as per their turn in the seniority subject to the vacancies available and as no selection grade has been sanctioned to any employees, who is junior to the workmen, the question of grant of selection grade to them does not arise and their case would be placed before next Zonal Promotion Committee and as such the reference be dismissed.

4. From the stands taken by the parties in their respective pleadings and the materials on record, it is found that the claims made by the workmen have virtually been admitted by the management of the F.C.I. The explanation given by the management for enlisting Shri S. Duttagupta above the workmen in the seniority list of the year 1990 and four other redesignated employees, whose name have already been mentioned before hand in the seniority list of 1992 was due to revision of their seniority after consideration of their representation and fixation of their seniority w.e.f. 30-4-72, the last date of submission of option for switching over to the cadre of AG-III (Ministerial) from AG-III (godown). It is also found from the copy of the letter of the Deputy Manager (Per.) for the Zonal Manager (West) bearing No. Estt./5(13)/93 dated 25-11-93 addressed to the Regional Manager (Mah), F.C.I. that the workmen had made representation to the higher authority to maintain their seniority but their representation was rejected. Hence, it is necessary to consider as to whether the action of the management about refixing the seniority of the four redesignated employees, who had opted to switch over to AG-III (Ministerial) from AG-III (godown) w.e.f. 30-4-72 is justified or not. It is clear from the circular No. A/25(10)/72 dated 5-4-72 of the Regional Manager, F.C.I., Bhopal that option from Graduate Assistant Grade-III (godown) was invited for appointment as Assistant Grade-III (Ministerial) with the terms and conditions that they will have to forgo their lien on their posts of godown clerk and they will rank below all the Assistant Grade-III in the Ministerial cadre for the purpose of seniority and promotion alongwith two other conditions and in response to the said circular, Shri S. Duttagupta, Smt. Madhu Saini, Shri B. B. Naidu and Shri S. N. Tiwari and some others gave their option. It is also found from the office order dated 30-11-72 that 23 Assistant Grade-III (Godown) including the above named employees were redesignated as Assistant Grade-III (Ministerial) and were placed at different places with the following terms and conditions:—





Government hereby publishes the award (Ref. No. 77/2002 & 79/2002) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the Management of BBMB and their workman, which was received by the Central Government on 18-11-2010.

[No. L-23012/12/2001-IR(CM-II)]

[No. L-23012/14/2001-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,  
CHANDIGARH**

**Case L D No. 77/2002 & 79/2002**

- (1) Shri Kulwinder Singh C/o Shri R.K. Singh,  
211-L, Brari, P.O. Partap Nagar,  
Nangal Dam, Ropar
- (2) Shri Tejinder Singh C/o Shri R.K. Singh,  
211-L, Brari, P.O. Partap Nagar,  
Nangal Dam, Ropar

...Applicants

Versus

The Chief Engineer Power Wing  
(Generation) BBMB, Nangal Township.  
District-Ropar (Punjab)

...Respondent

#### APPEARANCES

For the Workman : Shri R.K. Singh.  
For the Management : Shri Rajinder Singh.

#### AWARD

Passed on :- 28-6-10

These two references are related to each other. Hence, for ends of justice, both of the references and industrial disputes are answered and adjudicated by this common award. Common questions of law and facts, in both of the industrial disputes and references are involved, that is the reason, this Tribunal is passing the joint award. The references referred by the appropriate Government in both of the industrial disputes are as follows :—

(1) ID No. 77/2002, Kulwinder Singh vs. BBMB, Ref. No. L-23012/12/2001-IR(CM-II), dated 30-04-2002.

"Whether the action of the Chief Engineer (Power Wing) Generation, BBMB, Nangal Township, Ropar in terminating the services of Shri Kulwinder Singh S/o Shri Om Parkash w.e.f. 28-02-1999 is legal and

justified? If not, to what relief the workman is entitled to?"

(2) ID No. 79/2002, Tejinder Singh vs. BBMB, Ref. No. L-23012/14/2001-IR(CM-II), dated 30-04-2002

"Whether the action of the Chief Engineer (Power Wing) Generation, BBMB, Nangal Township, Ropar in terminating the services of Shri Tejinder Singh S/o Shri Sohan Singh w.e.f. 28-02-1999 is legal and justified? If not, to what relief the workman is entitled to?"

After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings. In nut shell, it is the contention of the workman that they were engaged by the management of BBMB several times by showing them on contract, whereas, the work was continuously available with the management. In both of the industrial disputes date of initial appointment and thereafter, so called fresh appointment issued by the management on different dates are different but the nature of grievances are the same. In Kulwinder Singh vs. BBMB, it is the contention of the workman that he was engaged/appointed by the management on 06-05-1997 and he was terminated by the management on 28-02-99 without a month notice or payment of one month wages in lieu of notice and without payment of retrenchment compensation. The termination of the workman, as per the contention of the workman, is illegal being against the provisions of Section 25 F of the Act.

Likewise, in Tejinder Singh versus BBMB, it is the contention of the workman that he was engaged by the management on 03-05-1997 and he worked as such on different appointment letters up to 04-07-2000. It is also the contention of the workman that he has completed 240 days of work in the preceding year and his termination is also illegal being against the provisions of Section 25 F of the Act because before termination of his services no notice or one month wages in lieu of the notice and retrenchment compensation were paid.

The management appeared in both of the references and preliminary objections were raised that initial appointment of the workman was for a fixed time on a fixed wages and it was on contract basis. On expiry of the term of the initial appointment, the services of the workman automatically terminated. After this automatically termination of the services, Workman was once again engaged on fresh contract for fixed term, and for fixed wages. Thus, there is lack of privity of contract between the management and the workmen. The management has also denied all the materials and facts raised by the workman in its reply on merits.

Parties were afforded the opportunity for adducing evidence. Oral evidence of both of the parties has been recorded. Relevant documents, meaning thereby, all the

appointment letters and other related documents are on record.

I have heard learned counsels for the parties at length.

The main issue raised before this Tribunal is whether the work was continuously available? Whether the management can be permitted to engage the workman for a particular period and after expiry of the period, appointing the workman once again afresh on so called contract? Learned Counsel for the workman has termed it as unlawful labour practice.

The management has also stressed upon that work was not of continuous nature. The workman was appointed for a fixed term for particular work. On completion of work, the services of the workman automatically terminated.

On perusing the pleadings and evidence of the parties, it is evidently clear that management raised entirely two contentions:—

- (1) Both of the workmen were engaged for a particular work and their services were terminated on cessation of work.
- (2) The workmen were appointed on contract basis for a fixed term on fixed wages and on expiry of this tenure of contract, their services automatically terminated.

So far as the contention no. 1 raised by the management is concern, I am of the view that it is settled law of service jurisprudence that a casual worker appointed for a particular job ceases his job for cessation of work. If the work for which a daily wager is engaged is finished, the workman cannot claim continuation. But on perusing the entire evidence of the parties there is no iota of evidence that work for which the workman was engaged was over. Moreover, from the nature of work which was entrusted to the workmen, it is clear that it was of a continuous nature. Management has failed to prove even prima facie that the work for which every workman was engaged was of a temporary and for short period and after the completion of the work the services of the workman were automatically terminated. Moreover, it is the case of the workman that services were taken by the management on different appointment letters for a fixed period on fixed wages. The practice adopted by the management itself prove that work was of continuous nature and to prevent the workman from the lawful exercise of his rights which could have accrued under the provisions of the Act. Different appointment letters for different and fixed period on the fixed wages were given to the workman. Thus, on point no. 1, I am of the view that management has failed to prove that workmen were engaged for a particular work and as soon as the work was over the services of the workmen automatically terminated.

So far as point no. 2 raised by the management is concern, I am of the view that it is undoubtedly unlawful labour practice. If the work is of continuous nature and is available with the management, there is no reason to appoint the workman for a fixed and different periods on fixed wages several times. What was the reason that the work if available, was not taken and provided with to the workman continuously. It itself shows that this act of the management was unlawful labour practice because the only intention behind it was to prevent and restrained the workman for claiming the exercise of lawful rights which could have accrued under the provisions of the Industrial Disputes Act. Hon'ble the Apex Court has also laid down the same view in 2006 AIR SCW 2979. Haryana State Electronics Development Corporation Ltd. Vs. Mamni. In para no. 9 of the judgment it is held by the Hon'ble the Court as under:—

"The respondent was appointed from time to time. Her services used to be terminated on the expiry of 89 days on regular basis. However, it is noticed that she used to be appointed after a gap of one or two days upon completion of each term. Such an action on the part of the Appellant cannot be said to be bona fide. The High Court rejected the contention raised on behalf of the appellant herein stating:

It is not possible for us to accept the aforesaid plea raised at the hands of the management on account of the fact that the factual position, which has not been disputed, reveals that the respondent-workman was repeatedly engaged on 89 days basis. It is, therefore, clear that the intention of the management was not to engage the respondent workman for a specified period, as alleged, but was to defeat the rights available to him under Section 25-F of the Act. The aforesaid practice at the hands of the petitioner-management to employ the workman repeatedly after a notional break, clearly falls within the ambit and scope of unfair labour practice."

Thus, it is the settled law of service jurisprudence that whenever work is continuously available, it is not open to the management to split out the work and change the nature of appointment just by giving several appointment letters and term it as on contract basis. Resultantly all the appointment letters shall be treated as one and it shall be presumed that workman has continuously worked for more than 240 days with the management.

It is also the settled law of service jurisprudence that a casual worker or a daily waged worker has no right to post. He cannot claim for regularization of his services. The protection under the Industrial Disputes Act is the protection against the illegal termination and not regarding the regularization of the services. If the issue of regularization of services is considered by this Tribunal it will amount to by pass the rules regarding the recruitment

to the public appointment. It is not the intention of the legislature. Accordingly, termination of the workman was illegal void abinitio. The only remedy available is the reasonable compensation because the case of the workman cannot be considered for the regularization of the services and as per the contention of the management the regular appointments have been made. Thus, neither the post is available nor the case of the workman can be considered for regularization. Accordingly, as stated earlier, the only remedy available to the workman is a reasonable compensation on account of his illegal termination.

What should be a reasonable compensation depends on facts and circumstances of each case. In my view the factors to be considered for granting and calculating the reasonable compensation are period the workman has served with the management, his age, his socio-economic condition, the wages he was getting at the time of his termination, one month wages in lieu of notice, amount of retrenchment compensation interest thereon, inflation in Indian economy, price index factor etc. If all the above factors are considered by this Tribunal and length of service is also considered, workman Kulwinder Singh is entitled for Rs. 75,000 and Tejinder Singh is entitled for Rs. 1,00,000 (one lakh). In my opinion the above compensation will be a reasonable compensation and certainly it will meet the ends of justice. Accordingly, the management is directed to pay to the workmen/deposit in the account of this Tribunal the above mentioned amounts within one month from the date of publication of the award. Let appropriate Government be approached for publication of award, and thereafter, file be consigned to record room.

G K. SHARMA, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2010

क्र.अ. 3039.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पी.जी.आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 28/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-2010 को प्राप्त हुआ था।

[ सं. एल-42012/259/2005-आईआर(सीएम-II) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

S.O. 3039.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 28/2007) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, Chandigarh as shown in the Annexure, in the Industrial dispute between the Management of PGI and their workmen, received by the Central Government on 18-11-2010.

[No. L-42012/259/2005-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

## ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,  
PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,  
CHANDIGARH.**

**Case I. D No.- 28/2007**

Shri Rajesh Kumar  
C/o Shri Subhash Chander President,  
31010, Sector-24-D, Chandigarh

...Applicant

Versus

The Director, PGI, Chandigarh.

...Respondent

## APPEARANCES

For the Workman : Shri D. R. Sharma &  
Jagdeep Jaswal.

For the Management : Shri N. K. Zakhmi.

## AWARD

Passed on : - 26-10-10

Government of India vide notification no. L-42012/259/2005/IR(CM-II), dated 01-05-2007 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

"Whether the action of the management of PGI in not awarding financial upgradation to Shri Rajesh Kumar as per ACP scheme w.e.f. 09-08-1999 is legal and justified? If not, to what relief is the workman entitled?"

After receiving the reference parties were informed. Parties appeared and represented through learned counsels as per the provisions of the law. The statement of claim and written statement were filed respectively by the parties. On perusal of the pleadings of the parties, the main issue for adjudication before this Tribunal is whether a workman has right to get higher pay scale in Assured Career Progression Scheme pending enquiry for misconduct against him? The case of the workman in nut shell is that he was appointed as clerk by the management of Post Graduate institute of Medical Research (PGI), Chandigarh in the pay scale of Rs. 260-400 (revised). Because of the stagnation in promotions of the employees, on the basis of the recommendations of the Fifth Pay Commission, the Government of India issued Assured Career Progression Scheme (ACP) w.e.f 09-08-1999 providing the benefit of two financial upgradation where the employees have not been promoted on completion of 12 year of service. The same memorandum is on record. It is the claim of the work

that even after completing 12 years of service on 09-08-1999, he was denied the lawful benefit of higher pay scale in Assured Career Progression Scheme. The workman has requested for an order for his higher pay scale in the said scheme w.e.f. 09-08-1999.

The management of PGI appeared and opposed the contention of the workman by filing written statement. The only reasons shown by the management for denying the higher pay structure in Assured Career Progression Scheme is the enquiry pending against the workman for various misconducts. It is the contention of the management that workman was punished thrice for different misconducts. On two occasions he was punished for unauthorized absent and on third occasion he was punished for embezzlement of Rs. 3982.62. It is further contended by the management that in the year 1999 there was a departmental enquiry pending against the workman for criminal offence. Respective criminal cases were also pending in the criminal court of competent jurisdiction. There is a mention on two criminal cases against the workman. The one case was under Section 138 of the Negotiable Instruments Act in which he was punished by the Court of Judicial Magistrate and punishment was confirmed by the appellate Court (Sessions Judge). Thereafter, Hon'ble High Court was kind enough to acquit the workman on 08-04-1999. The workman was further charged for his involvement in criminal activities on the basis of a case registered under Section 420 of Indian Penal Code. Because of the FIR, and his detention to the judicial custody, he was suspended and during the period in question he remains suspended. The grant of higher pay scale cut down under ACP scheme could not be considered because of his involvement in criminal case and a department proceedings pending against him.

Both of the parties were afforded the opportunity for adducing evidence. Oral evidence was recorded. All the documents regarding the punishment awarded to the workman in different disciplinary proceedings and the documents relating to the ACP (Assured Career Progression Scheme) are also on record.

I have heard the parties at length. Workman was also heard in person. It has been stated that on the day when he became eligible for the higher scale under ACP Scheme w.e.f. 09-08-1999, there was no punishment in operation. His suspension has already been revoked by subsequent order of the management and all the benefits for the suspension period and absence period have been awarded to the workman. Under such circumstances, there shall be no affect of any punishment awarded to him prior to the date on which his claim for higher pay scale under ACP Scheme became due. Learned counsel for the workman has also drawn my attention on the relevant rules.

Learned counsel for the management has argued that on relevant day there was an enquiry pending against the

workman, so, his case was not considered. Thereafter, learned counsel for the management has argued that his case was taken up by the committee constituted for considering the claim of every employees who have completed 12 years of services and have not been promoted for grant of higher pay scale under the said scheme. His case was considered and the result was kept in sealed envelop because of pending enquiry against him.

I have also gone through the concerned rules. Annexure-I of ACP Scheme is also relating to the conditions for grant of benefits under the ACP scheme. For the purpose of answering this reference, I am mentioning only three rules for the purpose of answering this reference.

Rule 4 reads as under :—

"The first financial upgradation under the ACP scheme shall be allowed after 12 years of regular service and the second upgradation after 12 years of regular service from the date of financial upgradation subject to fulfillment of prescribed conditions. In other words, if the first upgradation gets, postponed on account of the employee not found fit or due to departmental proceedings, etc., this would have consequential effect on the second upgradation which would also get deferred accordingly".

Rule 8 reads as under:—

"The financial upgradation under the ACP scheme shall be purely personal to the employee and shall have no relevance to his seniority position. As such, there shall be no additional financial upgradation for the senior employee on the ground that the junior employee in the grade has got higher pay scale under the ACP Scheme".

Rule 11 reads as under :—

"In the matter of disciplinary/penalty proceedings, grant of benefits under the ACP scheme shall be subject to rules governing normal promotion. Such cases shall, therefore, be regulated under the provisions of relevant CCS (CCA) Rules, 1965, and instructions thereunder."

The plain readings of Rule 4 to enquiry relating to the conditions of grant of benefits under ACP scheme makes it eventually clear that the benefit of this scheme can be given to the employees who has completed 12 years of regular services from the date of the first financial upgradation subject to the fulfillment of the prescribed conditions. The rule further speaks that if the first upgradation gets postponed on account of the employee not found fit or due to departmental proceedings etc. This would have a consequential effect on the second upgradation which would also get differ, accordingly. The second part of this rule 4 makes it clear that right to get the higher pay scale in the ACP scheme is not an absolute and vested right of any employee. It is subject to the certain conditions laid down in relevant rules. It is also subject to

the decision of the authority concern to found or not to found fit any employee on account of the departmental proceedings or similar other cause. Thus, not to found fit any employee on account of disciplinary proceedings and on such the grounds is inherent in Rule 4 of Annexure- I.

Rule 4 also speaks that if first benefit to the ACP scheme is preferred because of the above reason the second will pay consequently be differ.

Rule 8 speaks about the nature of grant higher pay scale in the ACP scheme. Rule 8 speaks that benefit under the scheme shall be purely personal to the employee and shall have no relevant to his seniority decision. Under this rule, it is not open to any employee to claim that his juniors have been granted higher pay scale under ACP scheme. Rule 8 specifically provides that grant of higher pay scale under ACP scheme has no concern with the seniority of the employee., Likewise Rule 11 also provides that the benefit of higher pay scale under ACP scheme shall be contributed to any of the employee on the same terms and conditions on which he is given the benefit of the promotion.

It is clear from the evidence adduced by both of the parties that in the year 1999 there was a departmental enquiry pending against the workman and he was rightly not given the benefit of higher pay scale under the ACP scheme. Thus, the management was justified on account of the pending department proceedings because the workman for grant of higher pay scales under the ACP as soon as the departmental proceedings over, he was afforded the benefit of the scheme. As per the rule 4 the benefit was delayed due to the pending department proceedings. Accordingly there is no force in the claim of the workman. He is not entitled for any relief. The industrial dispute is accordingly answered. Let Central Government be approached for publication of the award, and thereafter, file be consigned to record room.

G K. SHARMA, Presiding Officer

नई दिल्ली, 18 नवम्बर, 2010

क्र.आ. 3040.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ. सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, चण्डीगढ़ के पंचाट (संदर्भ संख्या 41/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-11-10 को प्राप्त हुआ था।

[सं एल-22011/6/2010-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 18th November, 2010

S.O. 3040.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 41/2010) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2, Chandigarh as shown in the Annexure, in the industrial dispute between the Management of Food Corporation of India and their workman, received by the Central Government on 18-11-2010.

[No. L-22011/6/2010-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

## ANNEXURE

### IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH.

Present : Sri A. K. Rastogi, Presiding Officer,

Case No. I. D. 41/2010

Registered on 18-06-2010

Sh. P.K. Nayak, Organizing Secretary,  
FCI Workers' Union, 8585,  
Arakashan Road, Pahar Ganj,  
New Delhi-110055.

Applicant

Versus

The General Manager,  
Food Corporation of India,  
Punjab Region, B. No. 34 to 38,  
Sector 31-A, Chandigarh.

Respondent

## APPEARANCES

For the workman : None.

For the Management : None.

## AWARD

Passed on 4 November, 2010

Central Government-wide Notification No. L-22011/6/2010-IR(CM-II) Dated 08-06-2010, by exercising its powers under Section 10 Sub Section (1) clause (d) and sub section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as Act) has referred the following Industrial Dispute for adjudication to this Tribunal :—

“Whether the action of the management of FCI in recovering the demurrage charges pertaining to the period 1992 to 1997 from the handling workers of FCI Depots at Patiala and Amloh without holding domestic inquiry and without affording the workers an opportunity to defend their case is legal and justified? To what reliefs are the workers of the above mentioned Depots entitled?”



Party no.3 of the reference Shri P. K. Nayak, Organizing Secretary, FCI Workers' Union, 8585, Arakashan Road, Pahar Ganj, New Delhi-110055 failed to put in his appearance and file claim statement despite notice dated 23-06-2010, 26-07-2010 and registered notice on 26-08-2010. Party no. 2 also did not put in his appearance despite notices. In the absence of claim statement the reference is answered against party no. 3 of the reference. The action of the management of F.C.I. in recovering the demurrage charges pertaining to the period from 1992 to 1997 from the handling workers of F.C.I. Depots at Patiala and Amloh without holding domestic enquiry and without affording the workers an opportunity to defend their case is held legal and justified in the absence of claim statement and evidence. The workers of the above-mentioned Depots are not entitled to any relief. The reference is answered accordingly. Let two copies of the award be sent to the Central Government after due compliance.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 19 नवम्बर, 2010

क्र.अ. 3041.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एस. ई. सी. एल. के प्रबंधन के संबंध निवोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 100/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-10 को प्राप्त हुआ था।

[सं. एल-22012/87/2002-आईआर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 19th November, 2010

S.O. 3041.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 100/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the Management of SECL, Gevra Area and their workmen, received by the Central Government on 19-11-2010.

[No. L-22012/87/2002-IR(CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
JABALPUR

No. CGIT/LC/R/100/2003

Presiding Officer : Shri Mohd. Shakir Hasan

Shri Deepak Kapoor, Area Secretary,  
Samyukta Koyla Mazdoor Sangh (INTUC),  
Qtr.No. M/598, Dipika Colony,  
PO Gevra Project, Distt. Korba  
(Chhattisgarh)

Workman/Union

Versus

The Chief General Manager,  
SECL, Gevra Area, PO Gevra Project,  
Distt. Korba (Chhattisgarh)

Management

## AWARD

Passed on this 21st day of October, 2010

1. Government of India, Ministry of Labour vide its Notification No.L-22012/87/2002-IR(CM-II) dated 26-5-03 has referred the following dispute for adjudication by this tribunal :-

" Whether the demand of Samyuktha Koyla Mazdoor Sangh from the management of SECL, Gevra Area to refund the amount deducted on account of A.P. Cyclone Relief Fund but not sent to the Government is justified? If so, to what relief are the workmen entitled?"

2. The Samyukta Koyla Mazdoor Sangh ( INTUC) did not appear in the reference inspite of notice by registered post. Lastly the then Tribunal proceeded the reference exparte against the Union on 16-8-05.

3. The case of the management in short is that the particulars of the beneficiaries, the particulars of deduction, date of deduction and claim of refund are not clear and therefore the reference is vague. The further case is that on 6-11-96, the joint Advisory Committee discussed about the contribution by the employees towards the Prime Minister's Relief fund for victim of National Calamity and Cyclone. All the unions were signatories of the meeting and it was decided to donate one day wages to the relief fund. The donation received is said to have been remitted to the victims of Gujarat Earth Quake in April 2001. Therefore the question to refund the donation doesnot arise. It is submitted that the reference be answered.

4. The point for issue is as to whether the demand of the union from the management of SECL to refund the amount is justified?

5. The management has adduced oral and documentary evidence in the case. Shri J.S.Prasad is Chief General Manager in SECL, Gevra Area. He has supported the case of the management. He has stated that the joint Advisory Committee ( in short IAC) had taken a decision to donate one day pay to the victim of the natural calamity. The copy of the said decision is filed which is Annexure M/1 and M/2. He has further stated that such donation was remitted for helping the victims of Gujarat Earth Quake in April 2001. His evidence is un rebutted. There is no reason to disbelieve his evidence. This shows that the claim of the Union is not justified when the amount was remitted to the victim. Accordingly the reference is answered.

6. In the result, the award is passed without any order to costs.

7. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 19 नवम्बर, 2010

**क्र.आ. 3042.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या 41/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-11-10 को प्राप्त हुआ था।

[ सं. एल-22012/124/2001-आईआर(सी-II) ]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 19th November, 2010

**S.O. 3042.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 41/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial dispute between the Management of Western Coalfields Ltd., and their workmen, received by the Central Government on 19-11-2010.

[No. L-22012/124/2001-IR(CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/41/03

Presiding Officer : Shri Mohd. Shakir Hasan

The General Secretary,  
BKKMS (BMS),  
PO Parasia, Distt. Chhindwara,  
Chhindwara

...Workman/Union

Versus

The General Manager,  
Western Coalfields Ltd.,  
Pench Area, PO Parasia,  
Distt. Chhindwara (MP)  
Chhindwara

...Management

#### AWARD

Passed on this 15th day of October, 2010

1. The Government of India, Ministry of Labour vide its Notification No.L-22012/124/2001-IR(CM-II) dated 11-2-2003 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the General Manager, Pench Area of WCL, PO Parasia, Distt. Chhindwara (MP) in not regularizing Smt. Shamsunnisha as Chowkidar w.e.f. 4-7-1996 at V.T.C. Barkui is legal and justified? If not, to what relief the workman is entitled to?”

2. The case of the Union/workman in short is that Smt. Shamsunnisha was appointed as General Mazdoor Cat-I at V.T.C Barkui. Thereafter she was promoted to the post of chowkidar Grade-H on 4-7-96 but the wages of Category-I was being paid. The service conditions is governed under the provisions of Certified Standing Orders. Accordingly the concerned workman is entitled to be confirmed on the post after completion of six months

probationary period whose services were utilized as watch and ward, Grade-H. It is stated that the workman was officiating the higher post w.e.f. 4-7-96 and she is entitled to receive wages of Chowkidar Grade-H. It is submitted that the management be directed to confirm the workman with difference of back wages from the date of officiating on higher post.

3. The management appeared and filed Written Statement to contest the reference. The case of the management, inter alia, is that admittedly Smt. Shamsunnisha was appointed on 12-1-91 as canteen cook helper. Subsequently she was deployed to work in watch and ward cadre for security nature job at VTC Barkui of Pench Area. The case of this workman on her request was forwarded to the competent authority by the General Manager, Pench Area for Lady Security Guard. The competent authority directed her to appear before the Chief Security, WCL, Nagpur on 11-10-99 where she appeared and was screened as per the norms and condition of the Security Personnel but she did not fulfill the selection and was declared unfit for the post of Lady Security Guard. The decision was communicated to all concerned. The Union thereafter raised to confirm her as chowkidar. The management expressed its inability to regularize her as chowkidar because no such post exist as on the date as per cadre scheme. Moreover there was restriction to regularize the employee on the post of Chowkidar. On the above ground, it is submitted that the action of the management is justified and award be passed in favour of the management.

4. The Union/workman subsequently absented. The then Tribunal proceeded the reference exparte against the workman, Smt. Shamsunnisha on 26-7-07.

5. Now the important issue for determination is as to whether the action of the management in not regularizing Smt. Shamsunnisha as Chowkidar is justified?

6. To prove the case, the management has examined one witness in the case. Shri Abdul Hakeem is Area Personnel Manager in WCL, Pench Area. He has supported the case of the management. He has stated that she was appointed as canteen cook helper on 12-1-91 and was deployed to work as Chowkidar. Her case was forwarded but she was found unfit in the screening as she was not fulfilling the norms and condition of the Security Personnel. He has stated that she was never promoted on higher post and the post of Chowkidar did not exist as on date as per cadre scheme. His evidence is un rebutted and therefore there is no reason to disbelieve his evidence. His evidence shows that she was never promoted and there was no post of Chowkidar in the cadre scheme and therefore the question to regularize on the post does not arise. I find that the workman Smt. Shamsunnisha is not entitled to any relief. Accordingly the reference is answered.

7. In the result, the award is passed without any order to costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer